



THE
ROMAN HISTORY

BY

TITUS LIVIVS; K

WITH THE

ENTIRE SUPPLEMENT

OF

JOHN FREINSHEIM;

Translated into ENGLISH, and illustrated with
geographical and chronological Notes.

V O L. I.



L O N D O N :

Printed by JAMES BETTENHAM,

And sold by J. CLARKE, under the *Royal Exchange*; C. HITCH,
in *Pater-noster Row*; G. HAWKINS, between the *Temple*
Gates; A. MILLAR, in the *Strand*; and W. MILLAR,
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To the HONORABLE

Edward Vernon Esq;

Vice Admiral of the Red.

SIR,

Whoever reads, with attention, the story written by Livy, must clearly perceive, that the Roman state was not only supported under the most pressing calamities, but even raised to the highest pitch of power and dominion, by an emulation amongst it's great men, not to excel each other in wealth and luxury, but in moderation, valor and a true love of their country.

As the whole tenor of your conduct, both in public and in private life, has
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been

been one continued example of those eminent virtues, an attempt to render them of general benefit to this country cannot be more properly introduced than under your patronage.

We are, with the greatest respect,

SIR,

Your most obliged

and most obedient

humble servants,

The Translators.

THE
TRANSLATOR'S
PREFACE.

THE disagreement among historians and chronologers, concerning the year of the foundation of Rome, makes it impossible to ascertain the true æra thereof. Timæus, the Sicilian, places it 38 years before the first olympiad; L. Cincius, in the fourth year of the twelfth olympiad; Polybius, and Diodorus Siculus fix it in the second, and Portius Cato, Dionysius Hal. Solinus, Clem. Alexandrinus, and Eusebius, in the first year of the seventh olympiad. Dionysius Hal. in his second book mentions an eclipse of the sun, that happened on the day of Romulus's death, and Plutarch another, which happened the day on which Rome was founded. And from this astronomers have labored in vain to fix the exact year. Verrius Flaccus places it in the fourth year of the sixth olympiad; but Varro, who has been followed by the majority of Roman writers, Rouillé. says, that Rome was founded near the end of the third year of the sixth olympiad; that is, in the year 3961 of the Julian period, which is commonly reckoned to exceed that of the world by 710 years. Upon which supposition, Rome was built in 3251 of the world.

Plutarch.
Val. Max.
B. 4.

Notwithstanding the uncertainty of the exact year in which Rome was founded, it is generally agreed, that the Romans began to build on the 21st of April, a day that was consecrated to Pales, goddess of Shepherds. And thus her festival and that of the foundation of the city were ever after celebrated on the same day.

As every man chose the ground he fancied best to build on, without any regard to ornament or regularity, the streets were narrow and crooked. The houses, about one thousand in number, were very mean, and had no upper stories. Nay, even Romulus's palace is said to have been built of rushes, and covered with thatch. Her first inhabitants were either poor shepherds, men of desperate fortune, or turbulent lovers of novelty, who united together within this narrow circuit. Thus the superb capitol of the world was originally but a sorry village; and from the meanest beginnings rose to a dazzling pitch of lustre and greatness.

To account for this astonishing progress, it will be necessary attentively to consider the principles of her policy, by whom they were established, enlarged and maintained, by what counsels, public or private, either within or without the city, those great events, related by Livy, and which contributed to form that vast empire, were brought to pass.

Vol. II.
p. 141.

Our author puts into Camillus's mouth, a most elegant description of the commodious situation of

of Rome. “ Not without reason (says he)
“ did both Gods and men pitch on this situ-
“ ation of our city. Here are most pleasant
“ and well aired hills, a river convenient for
“ transporting hither corns from the inland
“ country, and furnishing us with merchan-
“ dize by sea; the sea so near as to serve
“ every good purpose, but at such distance as
“ not to expose us to be attacked by foreign
“ fleets: in short, lying in the very center of
“ Italy, the only situation capable to promote
“ the increase of a state.”

The original form of the Roman government was a mixture of those three, which, they who have treated on this subject, have laid down as the best, kingly government, aristocracy and democracy. Their kings had all the splendid ensigns of royalty, but their power confined within narrow limits, assisted by a council composed of a select number of men, eminent for their prudence and justice, while every important matter was decided by a majority of voices in a popular assembly.

The wise institutions, religious, civil and military, of the invincible Romulus, made infant Rome both admired and feared. And till her unweildy power wrought her ruin, the principles and plan of his policy was never in fact altered, though considerably enlarged, by his successors, both kings and other magistrates, who all, by various methods, followed in his
a 2 track,

track, and swerved so little from the main point, that the encrease and perfection of this mighty empire seems a work beyond human wisdom.

Her fundamental principle of government was fear of the Gods, and veneration of religion. Though the Romans were mistaken in the object of their worship, yet by the remains of natural religion they were convinced, that the world must be governed by some superior power, which determines every event, and bestows on men every qualification and accomplishment necessary to form and execute vast enterprises: that it was fit, by religious rites, to implore and merit the protection and blessing of that powerful being. To this disposition were owing their temples, altars, sacrifices, and supplications: hence their auguries and auspices, which by their being favorable, or unfavorable, determined the execution or laying aside of the most important schemes, and made so strong an impression upon Roman minds, as to give or deprive them of courage; sheath or unsheath their swords at pleasure: and though hardly any human power was a match for a Roman army, yet they never dared to fight with angry Gods: hence those frequent vows made on pressing emergencies, the neglecting to perform which was deemed the most heinous sacrilege: hence their strict observance of oaths, which they made more account of than of human laws; as ap-

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pears manifestly by the example of every Roman army, which took an oath to their general, by that of the great Regulus, Marcus Pomponius the tribune, and of Scipio, who after the defeat at Cannæ obliged many citizens to swear not to abandon their country. And it had the desired effect, when neither laws, nor love of their country, could restrain them. In short, it may be said of Rome, in her virtuous ages, that no government ever outdid her in fear and observance of the Gods. The desire of drawing down their blessings, and fear of offending them, preserved discipline in their armies, inspired them with courage, reconciled contending orders of the state, conferred honors and offices on virtuous men, and discouraged the lewd and vicious, the sure methods to gain success in any enterprise.

Next we may observe a strong and lively regard for their native country inwove with every Roman constitution; love of parents, children, fortune, life, friends, and even glory itself, the most dazzling consideration, was but a secondary passion, and in all respects subservient to that of their country. And in fact it was no more than the love of their own work; for every Roman by his suffrage in the election of magistrates and generals, by his advice in senate, and exploits in war, maintained and secured the possession of those very lands and those houses, of which they were so fond.

Liv. Vol. I.
P. 113.

But we must not forget, as what most effectually contributed to the greatness of their state, that this love extended beyond bare fields, roofs and rafters. They loved their country passionately, but loved it FREE, and would be subject only to laws of their own making, which are superior to, and more powerful than men. It was this that drove out oppressive Tarquin; this stifled the sentiments of nature in Brutus; liberty and the life of Brutus's sons being as incompatible, as Brutus and tyranny; this banished Coriolanus, cancelled the memory of Mælius's largesses, precipitated Capitolinus from the Tarpeian rock, and made Appius Claudius strangle himself in a prison. On the other hand, it would be writing the history over again, to enumerate the illustrious characters formed by this spirit of patriotism and attachment to liberty.

And to complete the Roman character, let us observe, that regard for the Gods, love of their country, and liberty, were generally accompanied with a thirst of glory; and to it we may at least attribute the rapid progress of their arms. It produced in them an ambition for universal sovereignty, which after all she owed as much to the humanity she shewed the conquered states, and admitting them to all the privileges of her own. For without this last maxim, her fate had been the same with that of Sparta.

When we see the members of a state actuated by so vigorous and animating principles, nothing remains

remains to make them great and happy, but wise governors and a reasonable policy.

The religion of Rome was at first free from all scandalous fables or licentious rites which composed that of Greece. And as it principally consisted in festivals, to celebrate which the people assembled and feasted in common on the victims, it was an ease and relaxation to that laborious people.

The laws and regulations made in the infancy of Rome were certainly defective in many respects; as they were originally intended to lay the foundation of kingly government, and not of a commonwealth. And when Rome became free there wanted many institutions in favor of liberty, which had not been established by her kings. Nor indeed were they supplied for some time after the expulsion of the kings, who carried into banishment with them only the regal title, but left the regal power with the senate and consuls, who ruled with great moderation while there was any dread of the Tarquins. But as soon as that was removed they grew insolent and oppressive, which roused the people's love of liberty into vigorous efforts to secure it. Hence arose those mutual jealousies and contentions, which reduced the power of the nobility, and gained the people their share in the government. And though one would imagine that the continual dissensions, among the different orders of the state, should have entirely ruined it, yet in fact they had a contrary effect,

effect, as they checked the ambitious attempts of the great, kept the sovereign authority in a sort of equilibrium, and formed many illustrious men, who transmitted the spirit of patriotism from generation to generation. So that without regarding the noise and tumults they occasioned, we must fix our attention on the good effects they produced. For a period of three hundred years and upwards, from the expulsion of the Tarquins to the death of the Gracchi, these contests seldom ended either in banishment or bloodshed. Their most common effects were good and wholesome laws, which ensured the public liberty.

The patricians, obstinately bent upon confining honorable offices and commands to their own order, which they could not do without the voices of the people, were obliged to use their utmost efforts to cultivate the qualities which merited such distinction; and gain the esteem and suffrages of the plebeians by noble achievements, repeated services, and a virtuous course of action. The plebeians on the other hand, in aiming to attain to the highest dignities, were obliged to convince their own order, that they possessed all the merit of their superiors in quality. That they wanted not fortitude, courage, conduct and prudence to discharge the functions of the high offices to which they aspired. That they could command armies, harangue in the senate house and forum, bring in salutary bills, and negotiate matters of the greatest importance.

With-

Without these dissensions and contests, Rome Cicero de
orat.
had been enslaved by Tarquins, or an uncontrolled consular power, and never seen her guardian tribunes of the people, or her bulwark, the law of appeal. To them Rome owed those characters, which made her feared and respected by the greatest monarchs and states: to them she owed that august assembly of counsellors, the sight of which made a wise philosopher and great statesman say, "he had seen an assembly of kings:" to them she owed those invincible armies, which valued themselves solely on conquest. Must we not then allow that disagreement between two orders of a state, which produced so noble an emulation, purchased such salutary laws and banished the worst of evils, servitude and slavery, to be just and necessary as well as perfective of the Roman greatness.

Colonies remedied her last inconvenience, which was the effect of her conquests and of a wise maxim established in her infancy of increasing her numbers by admitting the conquered people into the city. For by sending them out she not only eased Rome of multitudes of poor citizens, but garisoned her frontiers, and by degrees reconciled foreigners to her own manners.

Now we see the Roman government settled in the hands of senate, consuls and people, it will be necessary to ascertain the particular share each had in it.

After

After Romulus had divided the first inhabitants of his city into tribes and wards, he formed a senate of one hundred patricians. Of these he chose one, and each of the tribes and each of the wards one. This made up the number required. The same method was observed in incorporating the hundred Sabine senators under the joint administration of Romulus and Tatius. Tarquinius Priscus chose one hundred plebeians, whom he first made patricians and then senators.

This was the complement of the senate till the days of Sylla, who added upwards of an hundred more. But from henceforth it would be vain to attempt ascertaining it's exact number.

Under the regal government the vacancies in the senate were filled up by the kings. After their expulsion the void seats were filled with the magistrates of the current year, or by the election of the people, when the former were not sufficient. And these senators were chosen promiscuously out of the patrician or plebeian order. Dionysius Halicarnasseus, in his seventh book, determines the time when plebeians were first admitted into the senate, to the two hundred and sixty third year of Rome.

Polyb.

This body had the absolute disposal of the public money, and the quæstors could make no disbursements, without their decree. The senate likewise gave allowance for what the censors every fifth year expended in repairing and erecting public buildings. It also had cogni-
zance

zance of all crimes committed in Italy which regarded the state, as conspiracies, assassinations and treasons. Besides if any city or private person in Italy wanted protection or relief, was guilty of any misdemeanor or wanted to make up any differences, they were within the province of the senate. It was their's to form alliances, declare war, reconcile differences, exhort or lay commands on foreign states: to send embassies, to determine the treatment of and return answers to ambassadors.

The consuls, when in the city, had the administration of all public affairs, and all other magistrates, except the tribunes of the people, were subordinate to, and obeyed them. They introduced foreign ambassadors into the senate, proposed those subjects of debate which required dispatch, and executed the senate's decrees, which they laid before the assembly of the people, and followed the determination of the majority thereon. Their power in every thing relating to the preparations for war, or to the conduct of it in the field, was without control. They gave what orders they pleased to the allies, and appointed the legionary tribunes. They might enlist all fit for service, and punish them when in the field. They might expend what sums they pleased of the public money, and for that purpose were attended by a quæstor, who was obliged to pay a ready obedience to their commands.

The

The people only had right to distribute honors and punishments, the bulwark of all governments. They imposed fines, even on those who had born the highest offices, and had the sole jurisdiction in capital cases. It was their indisputable right to bestow magistracies, to reject or confirm laws, and determine finally of treaties, conventions, alliances, accommodations, peace and war.

Thus was the government divided at Rome, and so wisely, that though each order seemed to have a distinct share, yet in every instance they had a mutual dependence on each other. The senate was under an indispensable necessity of studying to approve themselves to the people in every public affair, as they had in fact the cognizance of all great crimes, and punishment of treasons, seeing the decrees of the fathers on these heads had no force without the confirmation of the people. Besides the people had the power of receiving or rejecting any bill which might be preferred for taking away any part of their power, infringing their privileges, diminishing their dignities and fortunes. And farther if any plebeian tribune opposed their passing a decree, they had no farther power to consult about it.

The consuls stood in need of the assistance of both senate and people. No supplies could be sent to the army without consent of the senate, which when refused or neglected rendered all a general's

neral's schemes, of purchasing laurels, abortive. The senate likewise had power to disconcert his plans, by sending him a successor at the expiration of the year, and then could obscure the lustre of his victories by refusing him a triumph. Then the people alone had the power of putting an end to the war; of confirming treaties and accommodations, and at the expiration of a general's command could call him to account for his conduct.

The people were likewise subject to the power of the senate, and could not disregard the favor of all the senators in general, and of each in particular. For the censors put out many works throughout all Italy, as repairing and erecting public buildings. And they besides let out many lands; of all which the people were the sole undertakers. Some were purchasers of them, some partners in the purchase, and others sureties for the purchasers. Nay some assigned all their estate and effects to the public, for the performance of these contracts. Now all these are within the province of the senate, which can either give time, or, in case of misfortunes, mitigate the sum, nay even cancel it altogether.

The well tempered policy of the Romans, so prudent counsels, and so inimitable examples of all sorts of virtue, could only be described in the elegant and elevated stile of Livy.

Accord-

According to the best accounts, this illustrious historian was born, about fifty six years before the birth of Christ, at Padua, which is now a considerable town belonging to the republic of Venice, and famed for it's university.

Though it is impossible to ascertain the exact time at which he left his native place to go to Rome, yet it is probable he repaired very young to this then centre of wit, eloquence, politeness and learning. He has given the strongest proofs of genius, and in truth lived at a time which afforded not only the noblest patterns, but the strongest encouragements to cultivate his natural endowments. He was old enough to have learned eloquence of Cicero, by whose writings, in case he never had seen him, he might greatly improve his stile, and might have been acquainted with that Roman antiquary Varro, with Catullus, with Virgil, Sallust, Corn. Nepos and Diodorus Siculus. It is certain he was contemporary with Horace, Ovid, Propertius and Tibullus, with Seneca the declaimer, Vitruvius, Julius Hyginus, and with that accurate historian Dionysius Halicarnasseus. He enjoyed at the same time a very great share of favor from Augustus, who at length distinguished him from all the eminent men of that age, by making choice of him to be tutor to his grandson Claudius, who was afterwards emperor.

The happy auspices of so great and generous a patron, the example of so many great masters

in their different spheres, and the emulation inspired by the lustre of eminent contemporaries, contributed to form our great historian, who, if he did not outshine, was yet inferior to none of them in industry, eloquence, perspicuity, elegance of stile, accuracy, fidelity, and agreeableness.

We may gather from a passage in the nineteenth chapter of his first book, that he had begun to write his history, before the eighteenth year of Augustus's reign. "The temple of Janus, says he, has only been twice shut since the time of Numa, once in the consulate of T. Manlius at the end of the first Punic war; and a second time, which the Gods granted our age the happiness to see, by the emperor Augustus after the battle of Actium." Every one versed in the Roman story knows that this temple was thrice shut by Augustus. In his fifth consulate, after defeating Mark Antony at Actium. In his tenth, after subduing the Calabrians. And the third time, the same year in which Jesus Christ was born. And had our historian had the happiness to have seen the two last before he wrote this part of his history, he would certainly have mentioned them here.

He wrote a complete history of the Roman people, for the space of seven hundred years and upwards, from the foundation of their city till within a few years of the birth of Christ.

This work was comprehended, according to Petrarch and others, in one hundred and forty books.

books. These were afterwards, probably by copyists, divided into fourteen decads, or volumes, containing ten books apiece. All which are lost, except the first, third, fourth, and part of the fifth. However there are still extant epitomes of one hundred and forty books, commonly reputed to have been compiled by Florus.

These epitomes or abridgments might have in some measure contributed to render the original history neglected. For then, it is probable, as in our own time, the generality of readers contented themselves with this cursory view of the Roman affairs, and left the bulky work to perish. But this is only a conjectural reflection, while we are certain, that the malice of Caligula, who did his utmost to efface every monument of our great historian, and the barbarous ignorance and rage of the Goths and Vandals, swept away this and many other valuable works of antiquity.

What of Livy has escaped from the devouring jaws of time, were discovered at different times. The five first books of the fifth decad, were discovered in 1531. by Simon Gryneus, in the monastery of Lorschheim at Wormes, and the beginning of the thirty third book recovered in 1615 by John Horrion a jesuit, from a manuscript belonging to the church of Bamberg.

The authors from whom Livy extracted his materials were Polybius, M. Fabius Pictor, L. Cincius Alimentus, M. Portius Cato, L. Scribonius Libo, L. Calpurnius Piso, L. Lælius Antipater,

tipater, Sempronius Asellio, the two Gellii, Sextus and Cneius, Clodius Licinius, Sylla the dictator, L. Sisenna, Claudius Quadrigarius, Valerius Antias, Licinius Macer, Q. Hortensius, T. Pomponius Atticus, M. Tullius Cicero, C. Ælius, Q. Lutatius, M. Varro, P. Figulus, L. Tubero, C. Julius Cæsar, Oppius and Hirtius, Corn. Nepos, C. Sallust.

Livy, after completing his inimitable history, retired to Padua, where he died on the first of January in the fourth year of the reign of Tiberius, and twentieth after the birth of Christ, in the seventy sixth of his own age. He was twice married, and had two sons and four daughters. The name of his first wife and two sons are transmitted to us in the following inscription.

T. L.I.V.I.U.S. C. F.

S.I.B.I. E.T. S.U.I.S.

T. L.I.V.I.O. T.F. P.R.I.S.C.O. E.T.

T. LIVIO. T.F. LONGO. ET.

C.A.S.S.I.Æ. SEX. F. P.R.I.M.Æ.

U.X.O.R.I.

He was buried, at Padua, in the temple of Juno, since converted into the monastery of St. Justina, possessed by the monks of the order of St. Bennet. In this monastery was found an inscription on marble in his honor.

P R E F A C E.

V. F.

T. L.I.V.I.U.S.

L.I.V.I.Æ. T. F.

Q.U.A.R.T.Æ. L.

H.A.L.Y.S.

C.O.N.C.O.R.D.I.A.L.I.S.

P.A.T.A.V.I.

S.I.B.I. E.T. S.U.I.S.

O.M.N.I.B.U.S.

In 1413. the bones of Livy were dug up, inclosed in a leaden coffin. And such crowds came to view the remains of this inimitable man, that the monks came to a resolution to burn them, thinking no veneration due to any reliques but those of their own canonization. However at the earnest solicitations of the magistrates they dropped their design, and the coffin was carried, by persons of the first distinction in the place, to their public hall and deposited under the west wall thereof, with this inscription:

Offa

T. Livii Patavini

Unius Omnium

Mortalium Judicio

Digni, Cujus

Invicto calamo,

Invicti P. R.

Res Gestæ

Conscriberentur.

In 1548. they were removed to a more conspicuous place in that hall, and over them was erected a magnificent tomb, and an ancient marble bust of him, presented, for that purpose, by that eminent antiquary Bassianus. On the right hand stands a figure of eternity, and on the left one of Minerva, with the rivers Po and Tiber under their feet, and betwixt them a wolf suckling Remus and Romulus. Under all on a table of brass is the following inscription by Bonamicus,

*Offa tuumque caput, cives tibi, maxime Livi,
 Prompto animo hic omnes composuêre tui.
 Tu famam æternam Romæ, patriæque dedisti,
 Huic Oriens, illi fortia facta canens.
 At tibi dat Patria hæc, & si majora liceret,
 Hoc totus stares aureus ipse loco.*

Seneca, in his hundredth epistle, mentions some philosophical dialogues which our author wrote in his younger years. And Quintilian says he wrote an epistle on Rhetorick to one of his sons.

It would be too tedious to recite the several eulogies bestowed on our author both by ancients and moderns. We shall therefore content ourselves, with transcribing that short but nervous panegyric on Livy, which the celebrated Rollin has put in the advertisement to the reader prefixed to his fourth volume of Roman History.

“ Nothing, says he, is above that illustrious
 “ historian’s merit. The beauty and elevation
 “ of his style is equal to the greatness and glory
 “ of the people whose history he writes. He
 “ is every where luminous, intelligible, agree-
 “ able: but when he enters into important af-
 “ fairs, he rises even above himself to treat
 “ them with peculiar attention and a kind of
 “ self-delight and complacency. He renders
 “ the action he describes present; he sets it be-
 “ fore the eyes, he does not relate it, he shews
 “ it. He paints the genius and character of
 “ the personages he brings upon the stage af-
 “ ter nature, and puts into their mouths words,
 “ which are always conformable to their senti-
 “ ments and different situations. In short, he
 “ has the wonderful art of keeping his readers
 “ in so pleasing a suspense by the variety of
 “ events, and to engage their curiosity so strong-
 “ ly, that they cannot quit his relation of an
 “ incident, till it is entirely at an end.”

It is a lamentable misfortune, that we have
 not a good translation of so excellent an histo-
 rian in the English language. And as no abler
 hand has hitherto undertaken this work, we
 have attempted to exhibit it to our countrymen
 in their own language. And begging their
 candid indulgence for any negligences that
 may be found in so laborious a work, we shall
 content ourselves with assuring him that we
 have always had the great original before us,

and kept as close to it as the nature of a translation would admit.

To render the history more agreeable and intelligible, we have added, in the margin, the exact situation and modern names of the several towns and countries, which occur in the course of the history. And likewise given the most exact account possible of the religious and civil usages and customs of the Romans, and other nations, whose history is interwoven with theirs.

In this we have been chiefly aided by Mr. Kennet's antiquities of Rome, and the labors of the two Jesuits Catrou and Rouillé.

The chronology we have followed is that in Clarke's accurate edition of Livy. And as many errors in this point have crept into the translation, we have added tables to the end of each volume, to which the reader may have recourse.

Considering how difficult it is to attain a perfect knowledge of the great original, or to paint Livy's sentiments in another language, we must rely on the candor of the learned reader in many instances, and only hope, on the whole, that the translation WILL SPEAK FOR ITSELF.

E R R A T A.

Page line

- 5 24 abandoning, *read* driven from.
 ibid. note c. after Var *read* which falls into the sea of Genoa, and after many windings of about eighty miles, end at the river Arsa in Istria.
- 9 14 *read* whether this Ascanius was Lavinia's son, or another of that name older than he.
- 11 30 cote, *read* cot.
- 18 23 direction, *read* regulations.
- 25 9 after hero, *read* for.
- 36 penult. *read* impress a fear of the Gods upon the minds, &c. et passim alibi, *read* impress upon, *for* impress with.
- 45 34 *read* the side, which should get the victory, should obtain the sovereignty of both nations.
- 48 22 *read* they would pursue him faster or slower as their wounds would permit.
- 65 11 after bad *read* actions.
- 68 9 before was *add* who, and *dele* of, twice in the line.
- 83 26 before joint, *read* the.
- 96 note c. *read* primi pili.
- 105 3 extravagance, *read* diversions.
- 115 6 after might *read* be.
- 135 17 after him *read* for he made little account of the rest.
- 140 and elsewhere, for Arunci *read* Aurunci.
- 178 30 after countrymen *add* and the kindness shewed to him by strangers.
- 186 7 after yet *read* their own shame, the present public dishonor, and after-danger.
- 193 last line of notes, for pila *read* pilum.
- 195 4 luxuriant *read* cloyed.
- 202 12 for a battle *read* time of public danger.
- 226 31 sent *read* raised.
- 227 19 after general *add* comma.
- 228 note a. *read* manipuli.
- 248 30 whatever *read* whoever.
- 259 21 after wars *add* comma.
- 293 30 after lust *dele* comma.
- 309 2 for Ap. Julius *read* P. Villius.

ROMANUM IMPERIUM

No 1. st



45 **GALLIA**

LIGUSTICUM

MARE

CORSICA I.

MARE

TUSCUM

SARDINIA I.

INTERNUM

0 30 60 120
British Miles

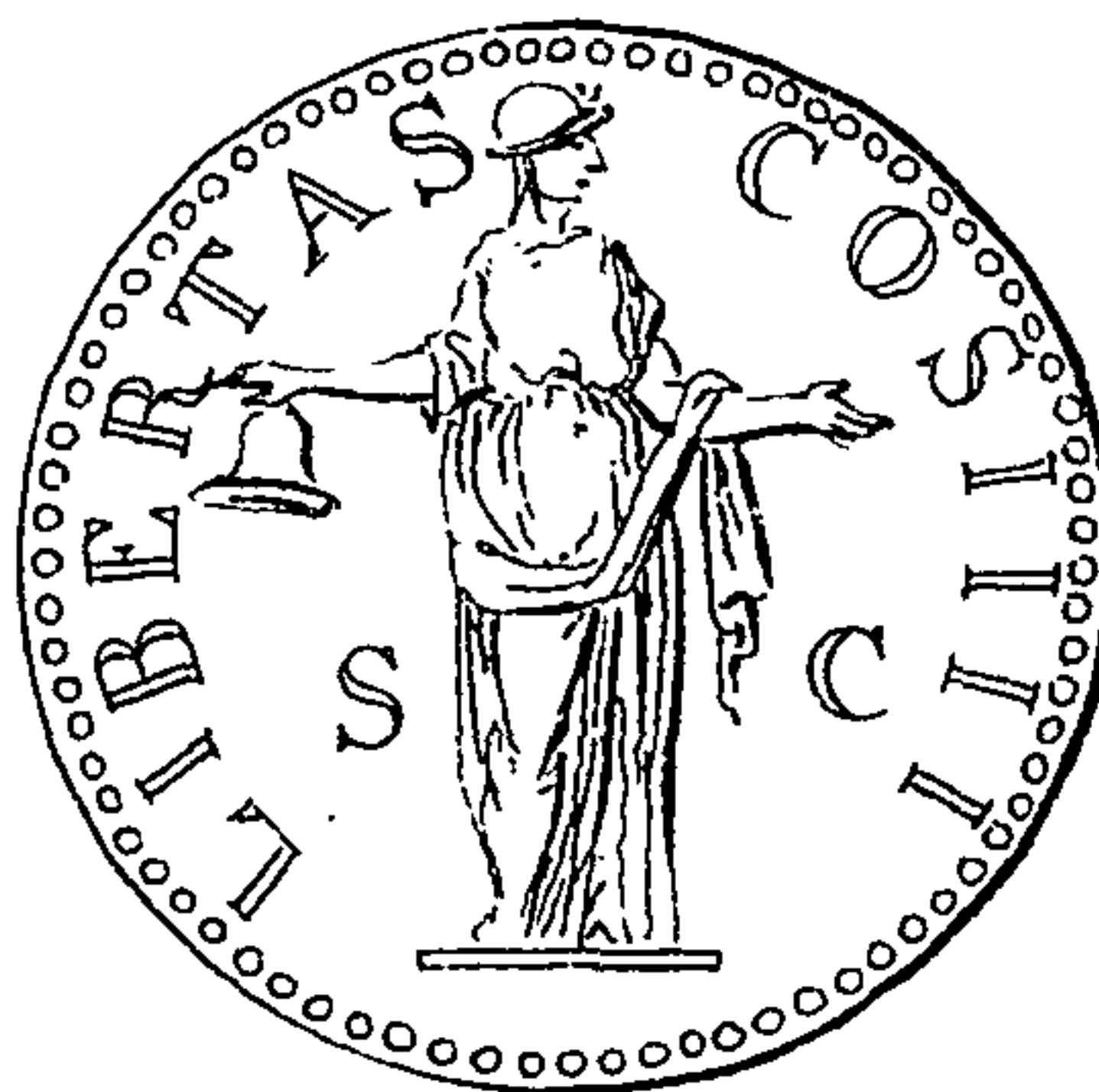
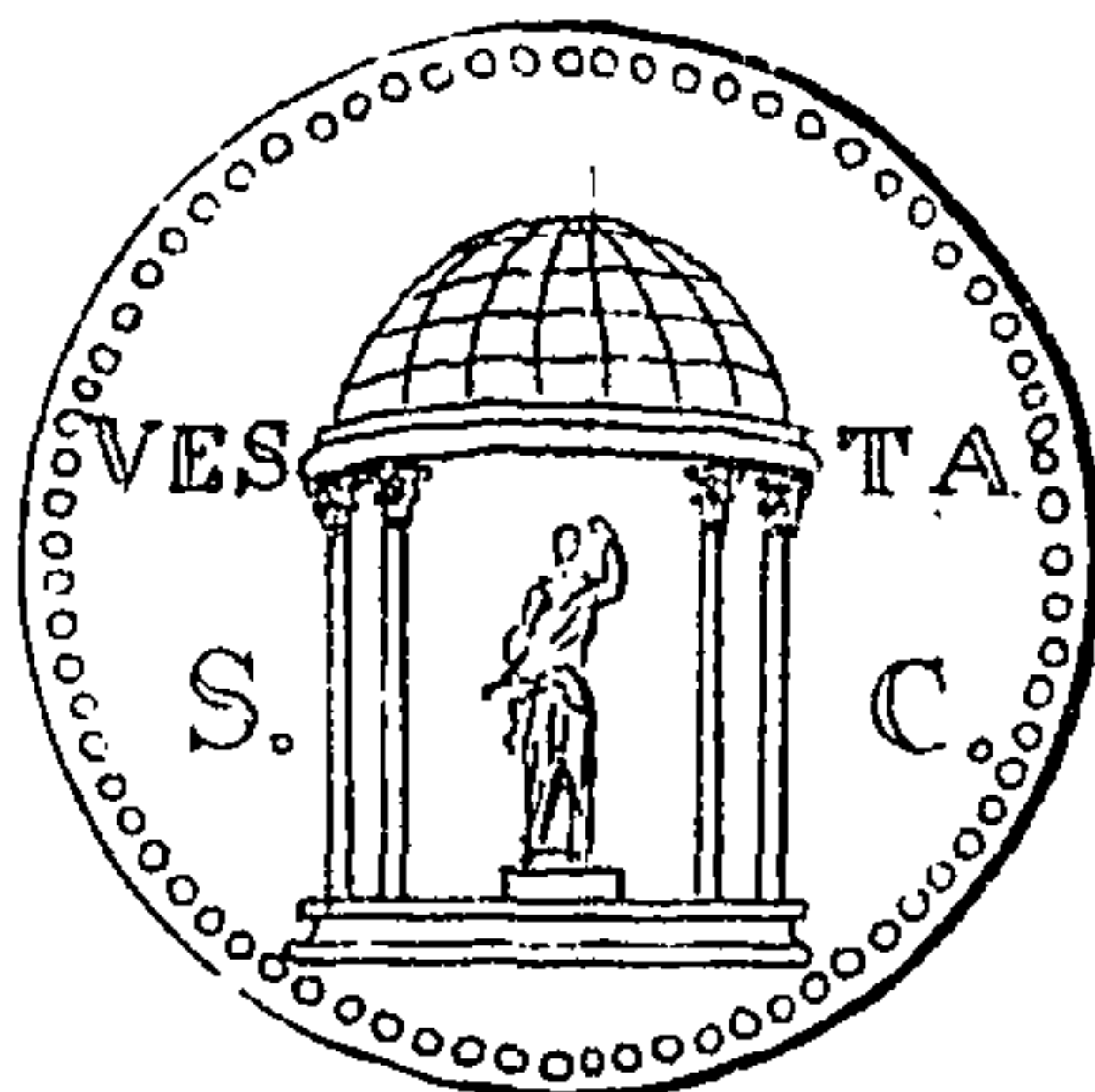
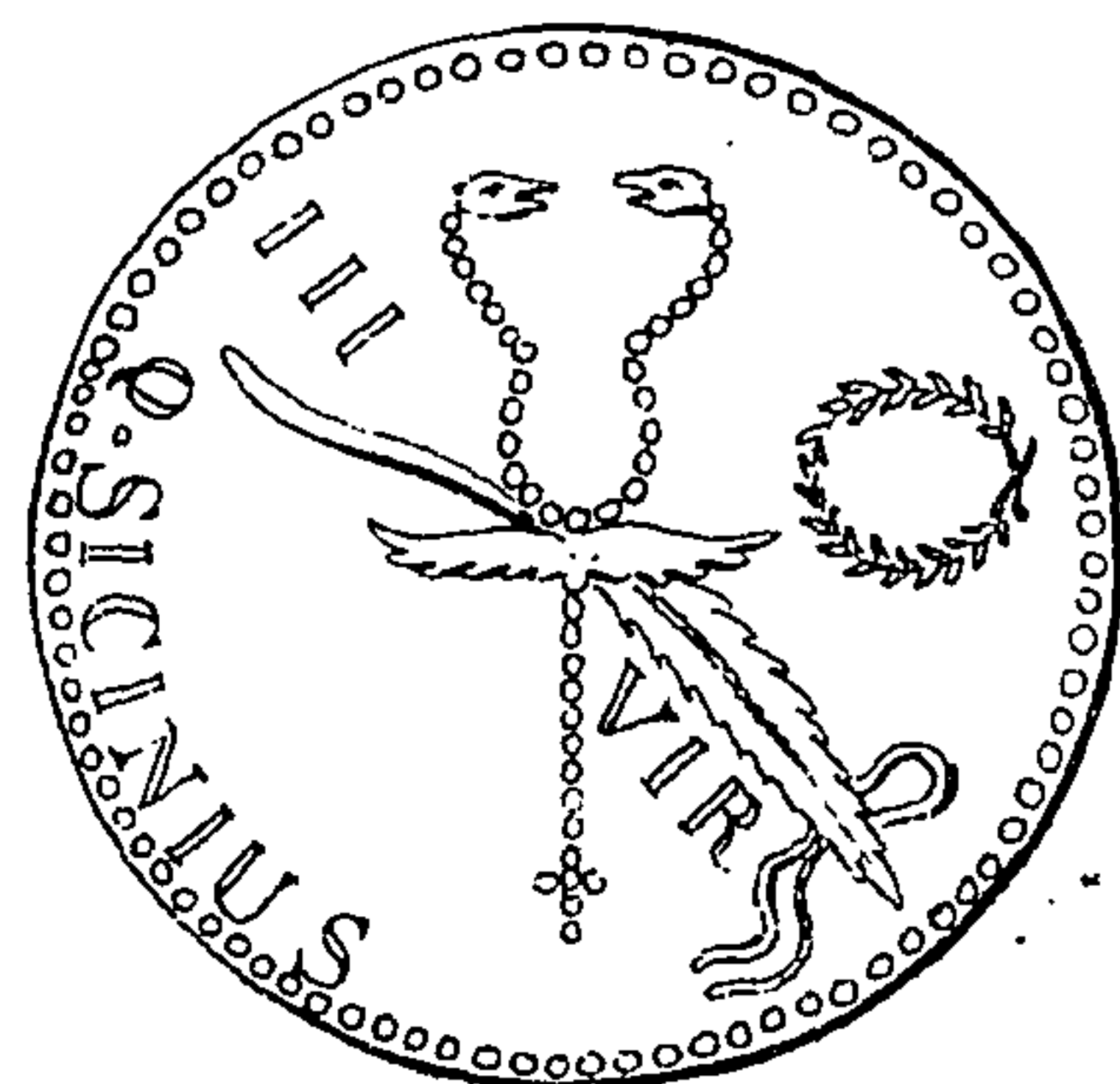
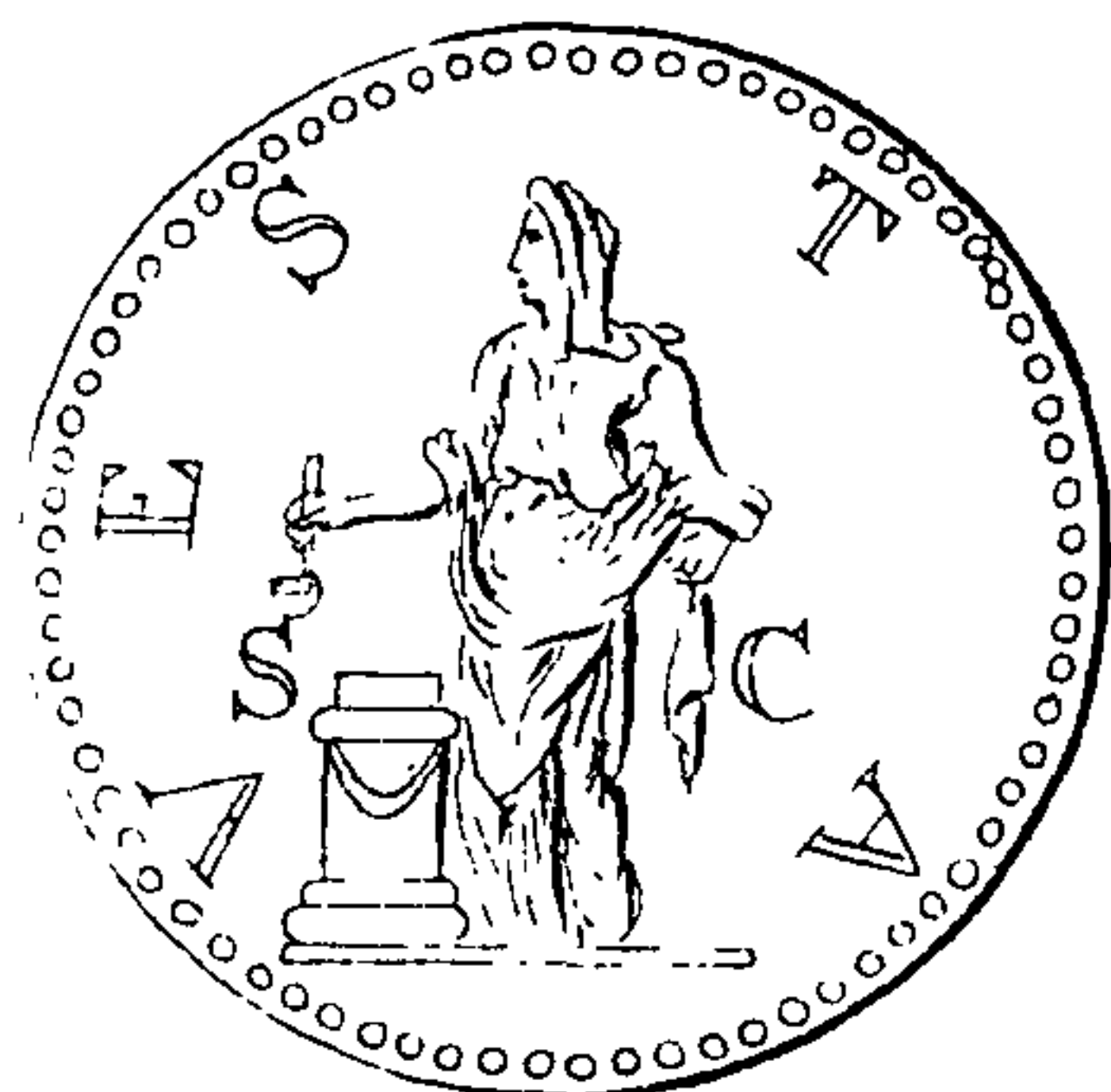
ADRIATICUM MARE

EP I R U S

BRUTIUM

SICILIA

18 Deg. East from London



THE ROMAN HISTORY,

BY

TITUS LIVIUS of *Padua*.

B O O K I.

The coming of Æneas into Italy, and his achievements there: the reign of Ascanius in Alba, of Æneas Sylvius, and the rest of the kings of the Sylvian family in the order of their succession, are contained in the first book. Numitor's daughter with child by Mars; Romulus and Remus born. Amulius killed. The city of Rome built by Romulus. He chooses a senate; makes war upon the Sabines; presents the opima spolia to Jupiter Feretrius; divides the people into curiæ; conquers the Fidenates and the Veientes; is deified. Numa taught the rites of religious worship; built a temple for Janus; and having made peace with all his neighbours, shut it up for the first time: he pretended to hold conferences with the Goddess Egeria in the night-time, and by these means prevailed on the fierce and restless minds of the people, to submit to his religious institutions. Tullus Hostilius made war upon the Albans; after this followed the combat of three twin brothers. Horatius acquitted for killing his sister. A severe punishment inflicted on Mettius Fuffetius. Alba demolished, and the Albans made citizens of Rome. War declared against the Sabines: finally, king Tullus killed by lightning. Ancus Marcius renewed the religious institutions of Numa; gave the Latines, whom he had conquered, the right of citizenship, and assigned them the Aventine hill to dwell on; retook Politorium, a Latine city, which the Ancient Latines had surprised, and utterly demolished it; built a wooden bridge over the Tiber; added the hill Janiculum to the city; enlarged the bounds of the empire; built the city Ostia, and reigned twenty-four years. In his reign Lucumo, the son of Demaratus, a Corinthian, came from Tarquinii, a city of Etruria, to Rome. He became the king's confident, assumed the name of Tarquin,

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and, after the death of Ancus, was raised to the throne. He increased the senate, by adding to it an hundred new senators; subdued the Latines, marked out the circus, and exhibited games. Upon the breaking out of a war with the Sabines, he augmented the centuries of knights; and in order to try the skill of Accius Navius, the augur, is said to have asked him, if what he thought could be done? upon the augur's answering, that it could, he commanded him to cut a whetstone asunder with a razor, which Accius immediately performed. He likewise defeated the Sabines in a second battle, built a wall round the city, made the common-sewers, and was murdered by the sons of Ancus after a reign of thirty-eight years. He was succeeded by Servius Tullius, the son of a noble lord taken at Corniculum, whose head is said to have been surrounded with a flame, when he was but a child in the cradle. He routed the Veientes and the Hetrurians in battle; first instituted the census, and finished the lustrum, in which eighty thousand citizens are said to have been enrolled; divided the people into classes and centuries, enlarged the Pomærium, and added the Quirinal, Viminal and Esquiline hills to the city. In conjunction with the Latines, he built a temple to Diana on the Aventine hill; and after a reign of forty-four years, was murdered by L. Tarquin, son of Priscus, at the instigation of his own daughter Tullia. After him L. Tarquin the Proud, without the consent of either senate or people, usurped the crown, and that very day, the cursed barbarous Tullia drove her chariot over her father's dead body lying in the street. He got a band of armed men to guard his person; murdered Herdonius by treachery; after that waged war with the Volsci, and with the plunder taken from them, built a temple to Jupiter Capitolinus. The Gods Terminus and Juventus, whose altars could not be moved, did not agree to it. By a stratagem of his son Sextus Tarquin, he reduced the city of Gabii. When his sons went to Delphi, and consulted the oracle, who should be king? they were told, that the sovereignty of Rome was destined for him, who should first give a kiss to his mother. As they mistook the meaning of this answer, Junius Brutus, pretending to fall, kissed the earth. The event verified the prediction: For when Tarquin the Proud had, by his insolent and arbitrary government, rendered himself odious to persons of all ranks, he was at last, after a reign of twenty-five years, expelled chiefly by the means of Brutus, on account of a rape committed by his son Sextus, in the night-time, on Lucretia; who, after sending for her father Tricipitinus, and her husband Collatinus, and beseeching them to revenge her death, stabbed herself with a knife. Then L. Junius Brutus and L. Tarquinius Collatinus were first created consuls.

P R E F A C E.

WHETHER in writing the history of the people of Rome, from the foundation of the city, I shall do a work of importance to the public, I am not very certain; nor, if I was, dare I say it: inasmuch, as I observe, that it is a common and stale pretence with new authors, who persuade themselves, that they will either represent matters of fact with more certainty, or, in their manner of writing, excel the less polished ancients. Be that as it may, it will, however, be a satisfaction to me, to have done my utmost to perpetuate the memory of the achievements of a people, the lords of the world; and if amidst so great a number of historians I should acquire but a small degree of reputation, I may comfort myself with the greatness and lustre of those who shall obscure my name. Moreover, it is a work of immense labor, as the history of this state must be traced back for seven hundred years, which, having taken it's rise from small beginnings, hath grown to such a pitch of greatness, that it now totters under it's own weight. And I am sensible, that to most of my readers, it's original, and the ages immediately succeeding, will afford less pleasure, while they hasten to these later times, in which the strength of this overgrown people hath for some time been working it's own ruin. On the other hand I shall expect this farther reward of my labor, to withdraw myself from the view of these calamities, which our age, for so many years, hath beheld, at least, while I am wholly intent upon reviewing these ancient times, being free from every care that might distract a writer's mind, though it could not divert it from the truth. It is not my intention either to confirm or disprove the accounts that are given us of what happened either before or at the building of the city, as they seem rather embellished with poetical fictions,

than supported by any genuine historical vouchers. Thus far antiquity is indulged, that by blending things human with divine, it may make the origin of cities appear more venerable: and if this freedom of consecrating their original, and ascribing it to the Gods as their authors, is to be allowed to any nation, such is the renown of the Roman people in war, that the nations of the world may as well allow them to boast, that Mars, above all the other Gods, is their author and the father of their founder, as they patiently submit to their yoke. But whether these, and the like accounts be censured or approved I shall not much regard. Let every man, with me, apply his mind seriously to consider, what their life and what their manners were; by what men and by what measures, both in peace and war, their empire was gained and enlarged. When by degrees their discipline began to relax, let him attentively observe, first the declension of their manners, next their constant visible decay, and lastly their total degeneracy, till he comes to the present age, when we can neither bear our political distempers, nor endure a proper remedy. In the knowledge of history, this is the principal use and advantage, that the reader hath examples of all kinds set before him in a true light; thence he may chuse, for himself and country, what he ought to imitate; and there he may see what he ought to avoid, as being shameful in the undertaking, and fatal in the event. But, either the love of the work I have undertaken deceives me much, or there never was any state greater, more religious; or better stored with good examples, nor into which luxury and avarice crept so late, and where poverty and frugality were for a long time honored to that degree, that the less wealth they had, the less they desired. Lately riches have brought in avarice, and an excess of pleasures introduced a propensity to waste and squander every thing by luxury and riot. But as complaints of this kind may be disagreeable, even when they are necessary, let them have no place in the beginning

ning of so great a work. We should rather, if it was usual with historians as it is with poets, begin with good omens, vows and prayers to the Gods and Goddeses to vouchsafe good success to this grand undertaking.

NOW first of all it is sufficiently certain, that after the taking of Troy^a, all manner of cruelty was exercised upon the surviving Trojans, except Æneas and Antenor; who, both on the score of former friendship, and because they had always advised the making of peace, and restoring of Helena, were exempted by the Greeks from all the rigors of war. Upon this Antenor with a multitude of the Heneti, who, by civil discord, had been expelled Paphlagonia^b, and lost their king Pylæmenes at Troy, were seeking both a leader and a settlement, after a variety of adventures came into the innermost gulph of the Adriatic sea^c. The Trojans and Heneti, driving out the Euganei^d, who dwelt between the Alps^e and the sea, took possession of their country. The place where they first landed was called Troy, and thence it got the name of the Trojan district. The people in general are called Veneti^f. Æneas abandoning his country by a like disaster, but conducted by the fates to lay the foundation of a greater state, came first into Macedonia^g, and going thence in quest of

CHAP.

I.

Year before
the build-
ing of Rome
430.

^a A city of the Lesser Asia, most commonly, but properly seemeth to signify the whole country of Phrygia. It was famous for holding out, in a siege of ten years, against the whole power of Greece, but at last it was burnt and destroyed, in the year of the world 2800, before the birth of Christ 1184, and before the building of Rome 431. It took it's name from Tros, the third king of the country, and was situate near the Dardanelles.

^b A country of the Lesser Asia, lying between Pontus and Bithynia.

^c Gulph of Venice,

^d Their country lay near Verona in Lombardy.

^e A long chain of mountains, be-

ginning at the mouth of the Var, and falling into the sea of Genoa. After several irregular turnings of above eight hundred miles, they end at a little river in Istria, which is called Arfia, or Arsa. So that the Alps are a barrier, which separates Gaul, Germany, and Illyricum from Italy.

^f Venetians.

^g By the conduct and prudent management of it's kings, this country, which lyes in Europe, from the smallest beginnings, became mistress of an hundred and fifty different people. The achievements of king Philip and Alexander the Great, have gained it immortal fame. It was bounded on the north by Dalmatia, and Mæsia Montana,

CHAP.

I.

B. R. 429.

of a new settlement, was driven to Sicily^h, and from that island sailed with his fleet to the country of the Laurentesⁱ. This place was likewise called Troy. There the Trojans went ashore, and having nothing left, after their tedious and painful voyages, excepting their arms and ships, fell to plundering the country. Upon this king Latinus and the Aborigines^k, who then possessed these parts, came armed in a body, from city and country, to repel the violence of these invaders. Of what followed there are two accounts. Some say, that Latinus, after being defeated in battle, first made peace, and afterwards an alliance by marriage with Æneas. Others, that while the armies stood in battalia, and before the signal was given, he advanced amidst his nobles, and invited the commander of the foreigners to a conference. He then enquired, who they were? whence they came? by what misfortune they had been driven from home? and what they sought by landing in the country of the Laurentes? When he understood, that the people were Trojans, and that their leader was Æneas, the son of Anchises and Venus, who, upon the wasting of their country by fire and sword, wandered in quest of a settlement and a place to build a city, admiring the great renown of the nation and their leader, and charmed with their undaunted re-

Montana, now called Servia on the upper side, and Bulgaria on the lower; by the Adriatic or Ionian sea on the west; on the east by the Ægæan, which is part of the Mediterranean sea, near Greece, dividing Europe from Asia, and is vulgarly called the Archipelago, and by the Turks the White Sea. On the south it was bounded by Epirus and Greece properly so called. It was called Macedonia from a son of Osiris; or, according to Steph. and Solinus, from a son of Jupiter. Seneca, de Benef. 3. commends this nation for rigorously punishing ingratitude.

^h A large and fruitful island between Italy and Africa.

ⁱ The metropolis of this country was Laurentum, so called from the

multitude of laurel trees growing about it. Varro, b. iv. *Of the Latin tongue*. It's territories, which were but small, lay on the east side of the river Tiber, in the present Campagna di Roma, and abounded with wild boars, as it's lakes did with frogs. It is now called Torre di Paterno.

^k Some think they were so called *quasi ab origine*, i. e. *original inhabitants* of that country. Others say from their being *vagrants*, *quasi Aborigines*. Others, *mountaineers*, ἀπὸ τῆς ἐν τοῖς ὄρεσιν οἰκίσεως, *from their dwelling in the mountains*. The etymology of their name must then be ἀπὸ ὄρεων γένος. Festus Pompeius declares for the second, and Dionysius Halicarnass. in his first book, mentions all these three derivations of their name.

solution,

CHAP. I.
 solution, which made them indifferent either for peace or war, he gave Æneas his right-hand as a pledge of future friendship. Upon this a league was concluded between the two chiefs, and the armies saluted each other. Æneas was entertained by Latinus, who, in presence of his household Gods, added a domestic alliance to a national league, by giving him his daughter in marriage. And by this match the Trojans were confirmed in their hopes, that here would end the fatigue of their wandering, in a well-fixed settlement. They built a city, which Æneas called Lavinium¹ from his wife's name. By this marriage they soon after had a son, whom his parents named Ascanius.

CHAP. II.
 UPON this hostilities were begun against both the Aborigines and Trojans, by Turnus king of the Rutuli², to whom Lavinia had been contracted before the coming of Æneas. He, taking it ill that the preference was given to a stranger, made war on Æneas and Latinus together. Neither side came off with cause of triumph from the battle: for the Rutuli were defeated, and the Aborigines and Trojans, though they got the victory, lost their king Latinus. After this overthrow, Turnus and the Rutuli, diffident of their own strength, applied to the flourishing state of the Hetrurians^b and their king Mezentius. This prince reigned over Cære^c, at that time a wealthy

Before the building of Rome 425.

Æneas king.

¹ It seems to have been situated on that hill which is now called Monte di Levano, where Pratica now stands. Dion. Halicar. in his first book, says, that it was but half a mile distant from the sea; and according to Strabo it lay between Ostia and Antium. Some have contended it was the same with Lanuvium; but the difference between these two cities may be seen in Carolus Sigonius's Scholia on the viiith book of Livy. For this see likewise Dausqu. ad Silium, p. 546.

² They dwelt on the sea coast of the present Campagna di Roma, between Patrica and Nettuno.

^b Who inhabited that part of ancient Hetruria, which comprehended what is now called St. Peter's Patrimony, the duchy of Castro, and the territories of Orvietto and Perugia.

^c It is now a small town in the Ecclesiastical State, called Cervetri. It was anciently the capital of one of the twelve lucumonies of Hetruria. The tradition is, that it was first called Agylla, and built by Grecians who came from Thessaly. But afterwards, when the people of Lydia, now called Carasia, made war on the Agyllini, as one walking under the walls, asked the name of the city, he was answered

CHAP. II. thy town, and as he had been uneasy, even at the first founding of Lavinium, and now thought it was grown much greater than was consistent with the safety of it's neighbours, readily joined his troops to the Rutuli. Æneas, providing against the danger of so powerful a confederacy, that he might firmly conciliate to himself the affections of the Aborigines, united the two nations under one name as well as government, and called them both Latines. Nor did the Aborigines after this come at all short of the Trojans in zeal and loyalty to their king. And therefore notwithstanding Hetruria^d was so strong, that the fame of it's prowess had filled not only the inland country, but also the sea coast of Italy, from the Alps to the Streights of Sicily; and though Æneas might well have avoided coming to an engagement, and defended himself within his walls, yet firmly relying on the affections of these two nations, which united every day more and more, he drew out his army and gave them battle. Here

answered by one of the inhabitants *χαῖρε*, which the enemy took for a good omen, and from that, when it was taken, changed it's former name into that of Cære. Strabo, b. v. says, there was scarce any vestige of that noble and magnificent city in his days. The registers, wherein the censors set down the names of such citizens, as, for any misdemeanor, they deprived of their suffrage, or vote, were from this town called *Cærites Tabulæ*. Aul. Gell. 16. 13. For the people of Cære, upon the taking of Rome by the Gauls, in the year of Rome 365, courteously received and entertained those Romans who fled for refuge to them, with their Gods, and the fire of the Goddess Vesta, which was never to be let out. The Romans ill requited them, upon the restoration of their state; for, tho' they made them free of Rome, yet they did not allow them the right of suffrage. Strabo, b. v. And hence it came, that whoever was thought deserving of having a mark of infamy stamped upon him, was said to merit *Cærte cerâ*. Festus, as well as Val. Max. b. i. says, that from Cære and

maneo, to remain or continue, the Roman religious rites were called *ceremonies*: for the Romans continued to perform their sacred rites, during their stay at Cære.

^d Hetruria, called also Etruria, Tuscia, and Thufcia, was a large hilly country of Italy, extending itself from the Tyrrhenian sea to the Apennine hills, and from Liguria to the Tyber. It's inhabitants were commonly called by the Greeks Tyrrhenians, who possessing so much of the coast, gave their name to the sea which washes it. This mighty state was divided into twelve cantons, called *lucumonies*, which were subject to twelve chiefs, who ruled them with a sort of sovereign authority. The names of the capital cities of the twelve *lucumonies* were these, Clusium, Perugia, Cortona, Arretium, Volaterra, Vetulonium, Rusellæ, Tarquinii, Volsinii, Cære, Falerii, and Veii. From this country the Romans learned their arts, sciences, and religious institutions, for a long time, and before their conquest of Greece, sent their children thither to be educated.

the Latines obtained a second victory, and this was the last action of Æneas's life. By whatever name it is lawful or fit he should be called, he lyes interred on the banks of the river Numicius^e, and is known by the name of Jupiter Indiges^f.

CHAP.
II.

ASCANIUS, the son of Æneas, was not yet old enough to take the government upon him, nevertheless his dominions were preserved entire till he was fourteen years of age, under the guardianship of Lavinia, whose abilities were so great, that the Latine state and the kingdom of his father and grandfather remained, during this time, firmly attached to the young prince. I am far from being certain, for who would affirm a thing of so ancient a date, whether this was that Ascanius, or one elder than he, born of Creusa before the destruction of Troy, who accompanied his father in his flight, and whom the Julian family call the author of their name. This prince, wherever he was born, or whoever was his mother, was certainly the son of Æneas. Lavinium being overstocked with inhabitants, he left that flourishing, and, considering these times, wealthy city to his mother or step-mother, and built for himself a new one at the foot of mount Alba, which, being extended on the declivity of a hill, was, from it's situation, called Longa Alba^g. Between the founding of Lavinium and the transplanting this colony to Longa Alba, near thirty years intervened. Yet it's power had encreased to such a degree, especially after the defeat of the Hetrurians, that not even upon the death of Æneas, nor after that during the regency of Lavinia, and the first essays of a youthful reign,

CHAP.
III.

B. R. 422.
Ascanius
king, and
Lavinia his
guardian.

B. R. 396.

^e Now Rio di Nimi, a rivulet. It ran close by Lavinium.

^f Men deified were called by this name.

^g Called Longa, from it's being extended the whole length of a lake near which it was founded. Dionys. Hal. b. i. Alba, *white*, from the white sow which Æneas found, in

the place where it was built, on his landing. Tibullus, 2. 5. Prop. 4. 1. Virg. Æn. 3. Juven. Sat. 12. It's wines are much celebrated by Horace, Pliny, and many others. It is now called Palazzolo, and is situated between Monte Cavo, and the lake of Castello Gandolpho.

CHAP. did Mezentius, the Hettrurians, or any of it's neigh-
 III. bours dare to take up arms against it. A peace had
 been concluded between the two nations on these terms, That the river Albula, now called Tiber^b, should be the common boundary between the Hettrurians and Latines. After him Sylvius, the son of Ascanius, born by some accident in a wood, ascended the throne. He was the father of Æneas Sylvius, who afterwards begot Latinus Sylvius. This king transplanted several colonies, and called them Ancient Latines. From this time, all the princes, who reigned at Alba, had the surname of Sylvius. To Latinus was born Alba; to Alba, Atys; to Atys, Capys; to Capys, Capetus, the father of Tiberinus, who, being drowned in crossing the river Albula, gave it a name famous to posterity. Then reigned Agrippa, the son of Tiberinus, who was succeeded by his son Romulus Sylvius. The latter was killed by a thunderbolt, and left the kingdom to Aventinus, who was buried on that hill, which is now part of the city of Rome, and goes by his name. After him reigned Proca, father of Numitor and Amulius. To Numitor, his eldest son, he bequeathed the ancient kingdom of the Sylvian family. But force prevailed more than the father's will or the respect due to seniority: for Amulius expelled his brother, seized the kingdom, and adding one crime to another murdered his brother's sons: likewise, under pretence of doing her honor, he made his daughter, Rhea Sylvia, a vestal virgin, and by this means deprived her of all hopes of issue.

^b The most noted river in Italy, rising out of the Apennine mountains. It divides Tuscany from Latium, and runs between Rome and the hill Janiculum. It empties itself into the sea by two mouths, at a small distance from each other. It was formerly called Albula, from the whiteness of it's waters, according to Pliny. Our author says, that it's name was chang-

ed into that of Tiber, from Tiberinus, the Alban king, who was drowned in crossing it. But Servius asserts, that the name of Tiber was older than Alba itself, and was derived from Tiberis, a king of the Hettrurians, who used to infest the adjacent country, and was slain nigh to it. It is now called Tevere.

BUT,

BUT, in my opinion, the origin of so great a city, and the beginning of an empire next in power to that of the Gods, was owing to the Fates. The vestal Rhea, being ravished, brought forth twins, and declared Mars was the father of her bastards, either because she believed it to be so, or that she might have credit by casting the blame upon a God. But neither Gods nor men protected her or her children from the king's cruelty: for the priestess was put into close confinement, and he commanded the children to be thrown into the very current of the river. By the interposition of heaven, the Tiber had, at that time, overflowed its banks, so that its main stream was inaccessible, by reason of the standing floods: they, therefore, who brought the infants to be exposed, thought they could be drowned in the stillest waters; and, as if thereby they had effectually executed the king's orders, laid them in, in the nearest land-flood, where now stands the ruminal figtree, which is said to have been formerly called the figtree of Romulus. The country thereabout was then a vast wilderness. The tradition is, that when the water, subsiding, had left the trough, in which the children had been exposed, on dry ground, a thirsty she-wolf, coming from the neighbouring mountains to drink, was led to the very place by their cries; and was of so mild a nature, that she stooped down to give them her dugs, and was found, by the king's shepherd, gently licking them with her tongue. It is said, his name was Faustulus, and that he carried them to his cote to be nursed by his wife Laurentia. Some are of opinion that she was called Lupa among the shepherds, from her being a common prostitute, and this gave rise to the surprizing story. The children, thus born and thus educated, when arrived to the years of manhood, did not loiter away their time in tending the folds or following the flocks, but roamed and hunted in the forests. Having by this exercise improved their strength and courage, they not
only

CHAP.

IV.

Year before
Rome 18.
Amulius
king.

CHAP. IV. only encountered wild beasts, but even attacked robbers loaden with plunder, and afterwards divided the spoil among the shepherds. And as their numbers daily increased, by the resort of the young men of the country, they kept days of feasting, and diverted themselves with rural pastimes.

CHAP. V. SOME assert, that the festival of the lupercalia^a was even, at this time, solemnized on the Palatine hill, which, from Palanteum, a city of Arcadia, was first called Palatium, and afterwards mount Palatine. That Evander descended of these Arcadians, who for many years before possessed that country, had appointed the observation of this feast, which he had brought with him from Arcadia^b, to be solemnized by young men, who were to run about naked with all manner of mirth and wantonness, in honor of Pan Lycaeus^c, whom the Romans afterwards called Inuus. When the robbers, enraged at the loss of their

^a The lupercal was a cavern dug in a rock, under mount Palatine, consecrated by Evander to the God Pan, that he might preserve their flocks. Some authors pretend, that the cave was consecrated by Romulus and Remus, because the wolf that suckled them had retired thither. It is certain, that the Romans erected there a brazen statue, representing a wolf suckling the twins. Fulvius Ursinus supposes it to be the same, which is to be seen now on the Capitol, at the palace of the Conservators.

The ceremonies observed in the celebration of this festival, were these: First, two goats and a dog were sacrificed; then the foreheads of two young men of quality were stained with the bloody knife; while others wiped off the blood, with locks of wooll dipped in milk. The young men were always to laugh while their foreheads were thus touched. This done, the goat skins were cut into thongs, with which the young men being armed, and covered only with a pair of drawers, ran about the city and fields, striking all they met. The married women suffered themselves to

be struck by them, and believed these strokes to be helpers of conception and delivery. The lupercalia seem to have been a festival of purification, which was celebrated on the fifteenth of February, which day was anciently called *Februua*. They ran naked, because Pan is always painted so: they sacrificed a goat, because the same Deity is supposed to have goat's feet. The dog was added, as a necessary companion to a shepherd. There were two colleges of the priests, who presided at these sacrifices; one whereof was for Romulus and another for Remus, to which a third was added in honor of Julius Cæsar.

^b An inland country of the Peloponnesus, or Morea, famous for shepherds and herdsmen, Virg. Eclog. 4. It received it's name from Arcas, son of Jupiter.

^c Or Lucaeus, from λυκά, a surname given to Pan, because he was thought to protect their flocks from the wolves. He was worshipped by the Arcadians with the utmost devotion, and, according to Macrobius, was stiled by them τὸν τῆς ὕλης κύριον, lord of all material substances.

plunder,

plunder, got information of the time, when this festival was to be celebrated, they lay in wait for them, while they were engaged in the sports; and though Romulus escaped, by making a gallant defence, they took Remus, and delivered him captive to Amulius, with grievous accusations. Their chief charge against them was, that assisted by a banditti of young fellows they had got about them, they made incursions upon Numitor's lands, and plundered them in an hostile manner. Upon this Remus was delivered to Numitor to be punished. Now, from the first, Faustulus had entertained hopes, that the children whom he had educated, were of the blood royal; for he knew that Rhea's children had been exposed by the king's orders, and that the time when this happened, agreed exactly with that wherein he had taken up these two infants: but he had been unwilling to disclose this secret, which was not yet ripe for a discovery, till either a fit opportunity offered, or necessity obliged him. Necessity first drove him to it; for, concerned for the young men's safety, he discovered the whole affair to Romulus. It happened likewise, that Numitor, when he had Remus in custody, upon hearing that he had a twin brother, by comparing their age, and observing their behaviour to be free from every thing mean and servile, was struck with the remembrance of his grandchildren, and upon enquiry into the matter, was almost prevailed on to acknowledge Remus. Upon this plots were laid against Amulius on all hands. Romulus made no attempt against him with his band of young men, nor was he able to do it by open force; but having commanded the shepherds to come to the palace by different roads at a fixed time, he forced his way to the king. Remus, with another party from Numitor's house, assisted his brother, and so they killed Amulius.

CHAP.

V.

NUMITOR, at the beginning of the fray, giving out that enemies had invaded the city, and assaulted the palace, had drawn off the Alban youth into

CHAP.

VI.

B. R. 1.

CHAP. VI. into the citadel to secure and garison it. Afterwards, when he saw that the young men, who had killed the king, were advancing to congratulate him, immediately he called an assembly of the people, and represented to them the unnatural behaviour of his brother towards him, the extraction of his grandchildren, the manner of their birth and education, and how they came to be discovered; then he informed them of the king's death, and that he was killed by his orders. When the young princes, coming up with their band through the middle of the assembly, had saluted their grandfather king, the united shouts of all the people present confirmed to him both that title and authority. And thus the government of Alba being committed to Numitor, Romulus and Remus had a strong desire to build a city on the spot where they had been exposed and educated. The country of the Albans and Latines was overstocked with people. The shepherds too had come into that design, and from these numbers, they were filled with the strongest hopes, that Alba and Lavinium would be but petty places in comparison of the city which they intended to build. But ambition of the sovereignty, which had proved the bane of their grandfather, interrupted their designs, and thence arose a quarrel that proved fatal in the end, though at first matters were managed with sufficient temper. For as they were twins, and the respect due to seniority could not determine the superiority, they agreed to leave to the tutelary Gods of the place to choose, by augury, the person who should give name to the new city, and govern it when built.

Numitor
king.

CHAP. VII. ROMULUS chose the Palatine, and Remus the Aventine hill, to make their observation. It is said, that Remus had the first augury, which was six vultures; and that, when this was told to Romulus, upon his observing double the number, each of them was saluted king by his followers. The one party founded their claim upon the first observation, and the other on the number of the birds. Upon this

Rome built
year before
Jesus Christ
751.

this they fell to high words; then the dispute growing warm, they came to blows, and in the scuffle Remus was slain. The most common account is, that Remus, in derision of his brother, leaped over his new-built wall, and was, for that reason, slain by Romulus in a passion; who, after sharply chiding him, added words to this effect, “So shall every one die, that for the future shall dare to leap over my fortifications.” Thus Romulus alone got the sovereignty, and the city was called after the name of its founder. His first work was to fortify the Palatine hill where he had been educated. He then appointed sacrifices to the Grecian Hercules, according to the institution of Evander, and to the other Gods, according to the Alban manner. There is a tradition, that Hercules, having killed Geryon, drove his oxen, which were extremely beautiful, into those places; and that, after swimming over the Tiber, and driving the cattle before him, being fatigued with travelling, he laid himself down on the banks of the river, in a place abounding with grass, to refresh them with rest and fat pasture. While he, overcharged with eating and drinking, lay fast asleep, a shepherd of the place, named Cacus, proud of his strength, and charmed with the beauty of the oxen, designing to make a prey of them, drew the most beautiful of them, one by one, by the tails, backwards into a cave; for had he driven them forwards, their footsteps would have guided their owner to it. Hercules awaking at day-break, and surveying his herd, observed that some of them were missing, and went directly to the next cave, to see if by chance their footsteps would lead him thither. But when he observed, that they were all turned from it, and directed him no other way, he was confounded, and not knowing what to do, begun to drive his cattle out of that infested place. Upon this, some of the cows, as they usually do, lowed for want of those that were left; and the lowings of those that were confined, resounding from the cave, made

CHAP. VII. Hercules turn that way. As he was going thither
 Cacus endeavoured to stop him by force; but Hercules having knocked him down with his club, he died, vainly imploring the assistance of the shepherds. At that time Evander, who had fled from the Peloponnesus^a, ruled this country more by his credit and reputation, than absolute sway. He was a person highly revered, for his communicating to them the knowledge of letters^b, a discovery that was entirely new and surprizing, to men ignorant of every art; but more highly respected on account of his mother Carmenta^c, who was believed to be a Goddess, and whom these nations had admired for her prophetic spirit, before the coming of the Sibyl^d into Italy. This prince, called upon by the shepherds, hastily crowding round the stranger, whom they charged with open murder, hearing what Hercules had done, and the provocation he had received; observing likewise that his size was larger, and his gait more majestic than human, asked who he was? As soon as he was informed of his name, his father, and his native country, he said, “Hail! O Hercules! son of Jupiter, my mother, a very true prophetess, hath revealed to me, that thou shalt encrease the number of celestial Deities; and that to thee an altar shall be dedicated, which some ages hence the most powerful people on earth shall call Ara Maxima^e, and honor ac-

^a A large peninsula, now called the Morea: it received this name from Pelops, the son of Tantalus.

^b He polished and civilized the Italians his neighbours, and taught them to express their thoughts by visible characters. The Greek characters were the first they used, of which there were some proofs remaining in the time of Augustus; particularly the treaty which Tarquin the Proud made with the Gabini, which was written in Greek letters, though in Latin words, on a wooden shield, covered with the skin of the ox which was sacrificed on that occasion. Dion. Hal. b. iv. p. 246.

^c From *carmen*, a verse; she being

a prophetess who sung her oracles in verse. The Greeks called her *Themis*.

^d Women divinely inspired were so called, from *οὐκ βουλῇ*, the will of God. It seems rather to be a common than a proper name. There were many of them, but the most considerable were the *Persian* and *Cumean*.

^e It stood in the ox-market. In all verbal bargains they invoked Hercules to be the voucher of their faith, in this form of words, *Me Deus fidius*, So may the God of faith help me. Some take *fidius* for *filius*, and thence *medius fidius*, q. d. *Ita me Jovis filius juvet*, So may the son of Jupiter help me.



“ according to thy own institution.” Hercules having given him his right-hand, said, “ That he gladly accepted the omen, and would fulfil the predictions of the fates, by building and consecrating an altar in that place.” There they first sacrificed to him a beautiful heifer chosen out of the herd. The Potitii and Pinarii, the chief families of the place, performed the service, and were admitted to the entertainment. It happened, that the Potitii were present in due time, and the entrails set before them, and when they were eaten up, the Pinarii came to the remainder of the feast. From this time it was ordained, that while the Pinarian family subsisted, none of them should eat of the entrails of the solemn sacrifices. The Potitii, being instructed by Evander, discharged this sacred function as priests of Hercules for many ages, till after intrusting the solemn office of their family to public slaves, their whole race became extinct. This was the only foreign religious institution adopted by Romulus, who began so early to befriend that immortal renown acquired by virtue, to which his good fortune conducted him.



DIVINE service being performed with the usual ceremony, Romulus assembled his people and prescribed them laws, which was the only method to unite them in the same society. And judging that these would strike his unpolished subjects with the greater awe, if he was adorned with the ensigns of royalty, to give him the greater air of majesty, he distinguished himself by a particular habit, but especially by twelve lictors^a, whom he appointed to attend him. Some think that he chose this number of officers from that of the birds, which by their flight had portended to him the kingdom. I don't dislike their opinion, who believe that the appa-

^a Officers who attended the kings, and afterwards the consuls, dictators, &c. They carried each a bundle of rods tied up with an ax, this for capital, those for smaller crimes.

ritors^b and lictors, and even this particular number of them, was taken from his neighbours the Hetru-rians, from whom he borrowed the curule chair^c, and the toga prætexta^d. The twelve nations of Hetruria in a general diet chose their king, and each of them assigned him a lictor, which gave occasion to that number. In the mean time the fortifications of the city were enlarged, for they still continued to take in new ground, and fortified it more in hopes of new comers, than for the sake of the present inhabitants. And that this great city might not stand empty, the king, according to the ancient policy of the founders of cities, who, by drawing together persons of mean birth and low circumstances, feigned that their offspring sprung out of the earth, opened an asylum in that place, which is now enclosed on the descent of the hill between the two groves. A multitude of all who were fond of novelty, both freemen and slaves indiscriminately, fled from the neighbouring nations to this sanctuary; and first strengthened the growing greatness of the city. Its power being now become considerable, he resolved to put it under proper direction; and for that purpose chose an hundred senators, either because that number was sufficient, or because only so many could be raised to the dignity of fathers^e. It is certain, that

^b The public servants of the magistrates had the common name of *apparitores*, from the word *appareo*, because they always stood ready to execute their master's orders. The most remarkable of them were the *scribæ*, a sort of public notaries, who wrote the proceedings in court. They answered in some respects to our attorneys, inasmuch as they drew up the papers and writings, which were produced before judges; *notarius* and *actuarii* signifying much the same office.

^c A chair of state made of ivory, carved, and placed in a chariot; in it the chief magistrates of Rome used to be carried into council.

^d A white robe reaching down to

the ankles, edged with a purple lace, whence it was called *prætexta*. This robe was wore by the chief magistrates and senators, on festival days, as a badge of honor. Among the other privileges, which were granted to the Sabine women, this robe was assigned their children, and forbidden to all others; but we find that it became afterwards common, and was worn by girls till their marriage, and by boys till the age of seventeen years, when they took the *manly gown*.

^e After Romulus had divided all the people into three tribes, and subdivided each of these into ten *curiæ*, he formed the senate in the following manner: their body was to consist of one hundred persons, all patricians;

that out of respect they were called fathers, and their children patricians.

AND now the Roman state was become so power-
ful, that it was a match for any of it's neighbours ;
but for want of women, it's greatness could only
last for one age ; for they had no hopes of issue at
home, nor had they any inter-marriages with other
nations. Therefore, by the advice of the fathers,
Romulus sent ambassadors to the neighbouring states
to propose a strict alliance with them, and to demand
wives of them for his new people. They were or-
dered to represent to them, " That cities, like every
" thing else, rose from very mean beginnings. That
" these, which were assisted by the Gods and their
" own virtue, in time gained great power and high
" renown. They were convinced, that the Gods
" had aided Rome in it's rise, and that the inhabi-
" tants would not fail to signalize themselves by
" their bravery. And for these reasons they ought
" not to disdain uniting their families and blood with
" them, who were men as well as themselves." The
ambassadors were no where graciously received, so
much did the neighbouring nations despise the Ro-
mans, and such danger did they apprehend to them-
selves and posterity, by the sudden growth of this
mighty state in the center of their country. The
greater part of those, to whom they addressed them-
selves, dismissed them by often asking, with a sneer,
" If they had likewise opened an asylum for vagrant
" women?" Adding, " that by that method on-
" ly they could provide themselves with suitable
" matches." The Roman youth, provoked at this
raillery, determined to have recourse to force. The
king, therefore, to give them an opportunity of exe-

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of these he himself chose one, and ordered each of the tribes, and each of the curiæ, to chuse three: all these together amounted to the number required ; so that, the senate, in it's original institution, consisted of one hundred patricians, ninety-nine

of whom owed their seats there to the choice of the people. See *Dissert. upon the constitution of the Roman senate*, added to *A fragm. of Polybius*, edit. London, 1742. And *Kennet's Rom. Antiq.* Part. II. b. iii. ch. 2. p. 101, & seqq.

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cutting their designs, concealed his uneasiness, and on purpose prepared solemn games in honor of Neptune Equestris^a. He called them consulia^b, and ordered them to be notified in the neighbouring towns. To make the shews as splendid as possible, and equal to the expectation of the strangers, they celebrated them with all the pompous preparations which they either knew, or their poverty would admit. Great numbers flocked to Rome, especially their nearest neighbours, the Cæninenses, Crustumini, and Antemnates^c, being desirous to see both the new city and the shews. The whole nation of the Sabines^d with their wives and children came. The Romans received them with great civility, and entertained them in their houses; and upon seeing the situation of the city, it's fortifications, and the vast number of houses in it, they were surprized at it's prodigious growth in so short a time. When the shews came on, and while their minds and eyes were intent upon them, according to concert, a tumult began, and upon a signal given,

^a He was called Equestris, because with a stroke of his trident, he is said to have raised the first horse out of the earth.

^b As Romulus's project of carrying off the Sabine women by force, had been the effect of long deliberation, he called the Deity, whose worship furnished him with an opportunity of executing his design, *Consus*, i. e. *the God of counsel*, and hence the games were called *consualis*. They were likewise called, by way of eminency, the Roman or Great games, and consisted chiefly in chariot and horse races. They were celebrated in the month of August, in the great Circus, and thence they were called the *ludi Circenses*, or the *games of the Circus*.

^c It is uncertain where these cities stood. Cluverius, *Ital. Ant.* b. 2. is of opinion, that Cænina was on this side the Anio, four miles from Rome.

Crustuminum is reckoned to have been a town of Tuscany, famous for good wine, and celebrated by Virgil, *Georg.* 2. for fine pears.

Antemna is said by some to have

been situated between the Tiburtine and Nomentine ways.

^d They inhabited the country lying between the Umbrians and Latines. A similitude of manners makes it probable, that they were a colony of Lacedæmonians transplanted into Italy.

Pliny, b. 3d. ch. 12. says, that they were called Sabines, ἀπὸ τῆς σάβητος, from their worshipping the Gods with great devotion. Festus Pompeius is of the same opinion. But Isidorus, Origen b. 9. ch. 7. says, that as the Italians took their name from Italus, and the Sicani from Sicanus, so the Sabines took theirs from Sabinus. Of this opinion is Dion. Hal. b. 2d. Silius Italicus, b. 8th, says, that the founder of this nation was Sabus, and from him it took it's name. Their women were eminently distinguished for their chastity, frugality, neatness, conjugal affection, and every virtue which adorn the sex. Horace, *Epode* 2d. Statius, b. 5th. Sylv. Martial. 1st. 62. Juv. Sat. 6. and Sat. 10. Virgil. *Georg.* 2d.

the

the Roman youth ran different ways to carry off the virgins by force. A great number were hurried away, without any distinction, by those into whose hands they fell. Some of the most beautiful of them, designed for the principal senators, were, by persons appointed on purpose, carried to their houses. It is reported, that while the party of one Thalassius was carrying off a virgin far superior to the rest, both in beauty and stature, being often asked for whom they intended her, the men, to save her honor, cried out several times, that they were carrying her to Thalassius, and thence this word became customary at marriages in Rome*. As fear had interrupted the games, the parents of the ravished virgins ran out of the city in despair. They bitterly reproached the Romans with violating the laws of hospitality, and invoked the vengeance of that God, to whose festival and games they had come, and where they had been shamefully betrayed under color of religion and national faith. Neither had the ravished virgins better hopes of their condition than their parents had, nor less resentment against their ravishers. But Romulus in person went about and declared, “ That
“ what was done, was owing to the pride of their
“ fathers, who had refused to give them in marriage
“ to their neighbours; but, notwithstanding what
“ had happened, they should be joined in lawful
“ wedlock, made partners of their estate, obtain the
“ freedom of the city, and be made happy in chil-
“ dren, who are dearer to mankind than every other
“ enjoyment. He begged them only to assuage
“ the fierceness of their anger, and cheerfully sur-
“ render their hearts to those whom fortune had

* Authors differ about the meaning of the word Thalassius. Some think it was the word given by Romulus as a signal when to begin the rape. It agreed very well with the God of the sea, whose festival they then celebrated, and therefore the poets gave him the surname of *Θαλάσσιος*. Varro thinks, the word Thalassio an-

ciently signified little baskets, in which the ladies put their work. The Sabine virgins would only consent to marry the Romans, on condition, that they should be obliged only to work in wooll, and therefore, on their wedding day, carried little baskets to their husband's houses, to put their work in.

CHAP. IX. “ put in possession of their persons.” He added,
 “ That injuries are often the forerunners of love and
 “ friendship ; and that their husbands would prove
 “ the more indulgent, because each of them, be-
 “ sides the performance of conjugal duty, would en-
 “ deavour to the utmost of his power to supply the
 “ want of their parents and native country.” To
 this speech of the king’s, the husbands added ca-
 resses, pleading, in excuse of what they had done,
 the violence of their passion, and the sincerity of their
 love, arguments that work most successfully on wo-
 men’s hearts.

CHAP. X.
 Y. of R. 5. THE minds of the ravished virgins were soon
 softened, but their parents put on mourning, and
 with their tears and complaints stirred up their states
 to revenge the injury done them. Nor was their
 resentment confined to their own country, but they
 assembled from all quarters to Titus Tatius king of
 the Sabines, because he bore the greatest character
 in these parts. All the neighbouring states sent am-
 bassadors to him. The Cæninenses, Crustumini, and
 Antemnates had been sufferers by the rape, and
 thought Titus and the Sabines proceeded too slowly ;
 therefore these three nations formed an alliance, and
 prepared for war. Nor did the motions of the Crus-
 tumini and Antemnates keep pace with the ardor
 and fury of the Cæninenses, who for that reason
 made an incursion alone upon the Roman territories.
 Romulus with his army met them ravaging the coun-
 try in straggling parties, and by a slight engagement
 convinced them, that resentment without strength is
 of no avail. He defeated and routed their army,
 pursued the fugitives, killed their king in battle,
 stript him of his armour, and having slain their ge-
 neral took the city at the first assault. From thence
 he led back his victorious army, and being a man
 highly distinguished by his gallant exploits, and one
 who could place them in the best light, went in state
 to the capitol, carrying on high before him as a pom-
 pous pageant, in a frame curiously made for that pur-
 pose,

pose, the spoils of the enemy's general whom he had slain. There he laid them down at the foot of an oak held sacred by the shepherds, consecrated them as a present to Jupiter, and having marked out the bounds of a temple for him, gave a surname to the God in the following words: "O! Jupiter Feretrius^a, I king Romulus, upon my victory, present to thee these royal arms, and to thee I dedicate a temple on that spot which I have marked out in my mind, to receive these opima spolia^b, which my successors, following my example, shall, upon their killing the king or general of the enemy, offer to thee." This was the origin of that temple, the first consecrated at Rome. The promise made by the founder, that his successors should bring the spoils thither, was by the favor of the Gods fulfilled; nor was the glory of the offering prostituted by the number of those who shared it. For, during the space of so many years, and in all the frequent wars that happened since that time, the opima spolia have been only twice^c gained, so few there have been who have had the good fortune to attain that honor.

WHILST the Romans thus waged war against the Cæninenses, the Antemnates, taking the opportunity of their absence, entered their territories in an hostile manner. The Roman army marched out in haste, and came upon them dispersed and straggling through the fields. By this means the enemy, at the very first shout and charge, were entirely routed, and their town taken from them. As Romulus was returning in triumph for these two victories, his queen

^a Some derive this word from *ferire*, to strike, or from *φέρειρον*, which signifies any machine for carriage.

^b These spoils, which were taken by the Roman general from the general of the enemy, after killing him with his own hand, were called *opima*, as being more honorable than any other. Festus derives the word from *ops*, which signifies the *earth*, and the riches it produces; so that

in his opinion *opima spolia* signifies *rich spoils*. Plutarch derives it from *opus*, signifying, thereby, the difficulty with which they were obtained.

^c Once by Cornelius Cossus, who killed Tolumnius king of the Veientes, in the 318th year of Rome, and after that by Claudius Marcellus, who killed Viridumaris, a king of the Germans, in the year of the city 532.

CHAP.

XI.



Herfilia, importuned by the entreaties of the wives that had been ravished, earnestly besought him “to
 “pardon their fathers, and to admit them to the
 “privilege of Roman citizens;” adding, “that by
 “that reconciliation his kingdom would be greatly
 “strengthened;” which request was readily granted her. After this he marched against the Crustumini, who had begun hostilities; but as their spirits were sunk by the defeat of their neighbours, he found no great resistance there. Colonies were sent to both these places, but the greater part gave in their names to go to Crustuminum, because of the fruitfulness of the soil. Many removed thence to Rome, especially the parents and relations of the women that had been ravished. The last war, that broke out on the score of the rape, was with the Sabines, and proved by far the most dangerous: for they did nothing in the heat of passion, or through greediness of spoil; nor did they make shew of a war, before they really begun it. They backed their designs by a stratagem. Sp. Tarpeius commanded the citadel, whose daughter Tatius bribed with the promise of a sum of money, to let his soldiers enter it in arms. She took the opportunity of doing this, as she was going to fetch water for the sacrifice, and those she let in crushed her to death with their bucklers; either that they might seem to have taken it by force, or to make her an example to posterity, that no faith ought to be kept with a traitor. Because the Sabines commonly carried on their left arm golden bracelets of great value, and wore rings set with precious stones; a story is current, that she agreed with them for what they had on their left arm, and that they threw their shields upon her instead of the bracelets of gold. Some say, that as they had agreed to give her what they wore on their left-hand, she, without speaking distinctly, demanded their arms, and, as by that she seemed to act treacherously, she perished by a reward of her own choosing.

CHAP.

XII.



N E V E R T H E L E S S the Sabines kept possession of the citadel, and though the Roman
 army

army the next day drew out into the field between the Palatine^a and Capitoline^b hills; yet they did not venture into the plain, till the Romans, fired with resentment, and eager to retake the castle, marched up to attack them. Two principal officers on each side animated the battle, viz. Mettius Curtius on the side of the Sabines, and Hostus Hostilius on that of the Romans. Notwithstanding the disadvantage of the ground this latter hero some time supported the Romans by his courage and bravery. But when he fell, they immediately gave way and fled to the old gate of Palatium^c. Romulus, carried away with the general rout, lifted up his arms to heaven and said, “O! Jupiter, in obedience to thy birds, I here laid the first foundation of my city on the Palatine hill. The Sabines are in possession of the citadel, which they have got by fraud and bribery. And now they are advancing hither sword in hand, and have already passed more than half the valley. But do thou, O! Jupiter, father of Gods and men, drive the enemy at least from hence, dispel the fear that hath seized the Romans, and stop their shameful flight. I here solemnly vow to build thee a temple under the name of Jupiter Stator^d, as a monument to posterity, that this city was saved by thy immediate aid.” Upon this, as if he had perceived that his prayers were heard, he cried with a loud voice, “O! Romans, the most

^a It is one hundred and twenty paces in compass, has mount Cælius to the east; the Aventine to the south; the Capitoline to the west; and the Forum to the north.

^b It was called Tarpeius from Tarpeia, who betrayed it to the Sabines. It had also the name of Saturnius, in honor of Saturn who lived there, and was reputed the tutelary God of the place. It afterwards took the name of Capitolinus from the head of a man found in digging for the foundations of the magnificent temple of Jupiter. It was seven furlongs in compass, and had, the Palatine hill and the Forum to the east; the Tiber to the south;

the level part of the city to the west; and the Quirinal hill to the north.

^c See our author, in the beginning of the 5th chap. of this book.

^d Several authors say, that this surname was given to Jupiter, *because the Romans, recovering from their fright, made a stand and faced the enemy*, Cicero, de finib. 3. 20. says, *When we give to Jupiter the name of Stator we mean, that the safety of all men is under his protection*. Seneca, de benef. 4. 7. says, *That Jupiter is called Stator, because all things are supported by his goodness, and not because the Roman army made a stand upon Romulus's vow*,

“ great

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XII.

“ great and gracious Jupiter commands you to stand
 “ here, and renew the battle.” The Romans stopped
 as if they had been commanded by a voice from hea-
 ven, and the king flew to the foremost ranks. Met-
 tius Curtius, the Sabine champion, had by this time
 come down from the citadel, routed the Romans,
 and driven them all over the forum. He was now
 come near the gate of Palatium, and cried with a loud
 voice, “ We have defeated our cowardly and trea-
 “ cherous enemies: now they are sensible of the
 “ difference between ravishing virgins and fighting
 “ with men.” Whilst he was boasting in this in-
 sulting manner, Romulus, at the head of a body of
 very brisk young men, attacked him. It happened
 that Mettius fought on horse-back, so that he was
 more easily put to flight by the Romans who pursued
 him warmly. Another battalion of them, encour-
 aged by the gallant behaviour of their king, routed
 the Sabines. Mettius’s horse, being terrified with the
 noise of the pursuers, drove into a marsh, whither
 the danger of so a considerable a man drew the Sa-
 bines. Animated by the shouts of many of his friends,
 he recovered his spirits and made his escape. Both sides
 renewed the battle in the valley between the Palatine
 and Capitoline hills, but the Romans had the advantage.

CHAP.

XIII.

BY this time the fear of the Sabine women, the
 rape of whom had occasioned the war, being o-
 vercome by the miseries which they beheld, with
 their hair dishevelled, and garments rent, they bold-
 ly threw themselves amidst the showers of darts, and
 rushing between the two armies in the heat of action,
 gave a check to their fury. On the one hand they
 besought their fathers, and on the other their hus-
 bands, “ That as they were fathers and sons-in-law,
 “ they would not impiously embrue their hands in
 “ one another’s blood. That they would not derive
 “ the stain of parricide upon their infants, grand-
 “ children of the one, and children of the other.
 “ If you, our fathers, are dissatisfied with the alli-
 “ ance

ance between our husbands and you ; or if you
our husbands are displeased with our being your
wives, turn your resentment against us : we are
the cause of this war ; we have occasioned this
bloodshed and havock among our fathers and hus-
bands : it is better for us to die than to live or-
phans or widows, deprived of either of you.”
This sight excited the compassion both of the gene-
rals and the armies. All hostilities immediately ceased,
and a profound silence ensued. The commanders ad-
vanced in order to concert a treaty, and they not on-
ly concluded a peace, but united the two states. They
divided the regal power equally between the two
kings, and Rome was made the seat of the govern-
ment. By this coalition the city was doubled, and
to shew some respect to the Sabines, the Romans
were called *Quirites*^a, from the Sabine city Cures.
To perpetuate the remembrance of this battle, the
place where Curtius’s horse, after getting out of the
deep marsh, first set him on shallow water, is called
the lake of Curtius. This happy peace, which came
so soon upon the back of an unnatural war, endeared
the Sabine women exceedingly to their husbands, but
especially to Romulus. Therefore upon his dividing
the people into thirty *curiæ*^b, he called them by their
names. But though it be certain, that the Sabine
women somewhat exceeded that number, yet we
have no account whether they, who gave names to
these *curiæ*, were chosen by lot, seniority, or ac-
cording to their own quality, or the rank of their hus-
bands. At the same time three centuries of knights^c
were

^a The word *Quiris* signified in the Sabine language, both a dart and a Deity armed with a javelin. This God was worshipped in Rome all Romulus’s life-time ; but after his death, he himself was honored with the name of Quirinus, and took the place of this God.

^b Romulus, when he numbered the citizens of Rome, divided them into three equal tribes, each of which he again divided into ten *curiæ*, or com-

panies of an hundred men, which he subdivided into ten *decuriæ* of ten men each. The tribe was commanded by a tribune, the *curia* by an officer called *curio*, and the *decuria* by one called *decurio*.

^c These knights first composed the Roman cavalry : Their horses were furnished by the state, till the time of Marius, when the conquered provinces supplied what horses were necessary to recruit their troops. Ser-

CHAP. XIII. were enrolled; from Romulus, they were called Ramnenses; from Titus Tatius, Tatienses; but why they were called Luceres, or whence the word was derived, is uncertain. From this time the two kings not only shared the power equally, but also lived in perfect harmony.

CHAP. XIV. SOME years after, the kinsmen of king Tatius beat the ambassadors of the Laurentes, and though they demanded satisfaction according to the law of nations, yet partiality for his friends and their entreaties had more weight with him than the just complaints of the others. By this conduct he brought the punishment due to them upon himself; for having gone to a yearly sacrifice at Lavinium, the people rose and slew him. They say that Romulus did not resent this as the nature of the crime deserved, either because co-partners in sovereignty are never true to one another, or because he believed that he was justly killed. For this reason he declined going to war. Nevertheless to expiate the murder of the king, and the injuries done to the ambassadors, the treaty was renewed between the cities of Rome and Lavinium. Though peace was concluded with them contrary to expectation, a new war broke out much nearer Rome, almost at the very gates of the city. The Fidenates^a, judging that the Roman state was growing too powerful in their neighbourhood, commenced war against it before it should arrive at that pitch of grandeur to which it was likely to rise. A great number of young men, on a sudden entering the Roman territories, ravaged all the country between Fidenæ and Rome. Then turning to the left, because the Tiber confined them on the right, they continued their depredations to the great terror of the peasants. From thence the sudden alarm reaching the city brought the first news of the enemy. Romulus,

vius, in his census, first distinguished them from the plebeians, by a gold ring which they wore on their fingers.

^a Inhabiting a city of Latium, called Fidenæ, since *Castel Jubileo*.

rouzed at this unexpected invasion, as the enemy's approach admitted no delay, led out his army and encamped a mile from Fidenæ. Having left a small party to guard his camp, he marched out with the rest of his forces, and commanded a party of them to lye in ambush in a place covered with thick bushes. Then he advanced with the greater part of the foot, and all the horse; and by riding up to the very gates of the city in a disorderly and menacing manner, according to his design, drew out the enemy. The behaviour of the horse likewise made the flight, which was to be counterfeited, appear less surprizing: for while the cavalry seemed through fear in suspense whether to fight or fly, the foot likewise drew back. Upon this the enemy instantly opened their gates and sallied out; and their eagerness to pursue, and fall upon the retreating Romans, drew them into the ambuscade. The Romans starting up all of a sudden, attacked the enemy in flank. They who had been left to guard the camp, advanced with flying colours, and increased their fear. Thus the Fidenates, being struck with terror from all quarters, turned their backs, before Romulus and his men could wheel their horses, and fled in earnest with much greater speed than they had pursued those who just before had feigned to fly before them. But they could not save themselves; for Romulus, following close at their heels, entered the city pellmell with their own men, before they could shut the gates.

THE war with the Fidenates, spreading like a contagious distemper, soon reached the Veientes: as they were enraged on account of their relation to that people, who were Hetrurians as well as they, so, apprehensive that the Romans would carry their arms against all their neighbours, the situation of their country so near the seat of the war, engaged them to take part in it, and therefore they entered the Roman territories rather with a design to ravage the country

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XV.



country than to carry on a regular war. Therefore, after plundering the lands, they returned with their booty to Veii^a, without pitching a camp or waiting for the enemy. Romulus, when he found they were gone, passed the Tiber, being prepared and eager to come to a decisive battle. The Veientes informed of his having taken the field, and that he intended to advance to their city, marched out to meet him, chusing rather to risk a battle than to be pent up and obliged to fight from their walls and houses. In this engagement, without using any stratagem, Romulus got the victory by mere strength, and the bravery of his veteran troops. He routed the enemy, and pursued them to the walls of the city; but as it was strongly fortified by nature and art, he made no attempt to take it. In his return he ravaged their lands, more through a desire of revenge than greediness of plunder. The Veientes having suffered as much by this loss as by their defeat, sent deputies to Rome to sue for peace. Part of their lands was taken from them, and a truce granted them for an hundred years. These are the most remarkable actions performed by Romulus, in peace and war, none of which (whether we consider his courage in recovering the kingdom to his grand-father, or his project of building a new city, and strengthening it by good policy and arms) seem inconsistent with the belief of his divine original, or of his deification after death. For by the progress it had made under him, the city was become so powerful, that for forty years after it enjoyed a profound tranquillity. Yet he was dearer to the people than to the fathers; but above all others he was the darling of the soldiers. He chose three hundred of them, whom he formed into a body-guard to attend him in peace and war, and called them *celerēs*^b, or light horsemen.

AFTER

^a A city of Tuscany, about one hundred furlongs from Rome. After many struggles for the sovereignty with Rome, and enduring a ten years siege, it was at length taken by the Romans, in the 359th year of Rome.

^b This was the first corps of the Roman soldiery, and was chosen by the

AFTER performing these immortal achievements, while he was holding an assembly of the people for mustering his army, in a field nigh the goat's pond^a, on a sudden there arose a storm, with terrible claps of thunder, and such a thick shower of rain fell, that it covered the king, and took him out of their sight. Nor was Romulus after this seen on earth. When the consternation was over, and a fine clear day succeeded the storm, the Roman youth observing the king's chair empty, although they gave sufficient credit to what the fathers who stood nearest him said, that he was taken up into the air by the tempest; yet, struck with the dreadful apprehensions of the want of a king, remained for some time in mournful silence. But, after a few of their number had set them an example, the whole assembly paid divine adoration to Romulus the son of Mars, the founder and king of Rome. They earnestly besought him to grant them peace, and that he would graciously vouchsafe at all times to protect his offspring from every kind of danger. I believe there were some at that time who surmised, that he was torn in pieces by the fathers: this report took air, but gained very little credit. For the present consternation, and the great veneration they had for their king, made the other more universally believed. One man is said likewise by his address to have confirmed the first account; for the citizens being uneasy at the want of their king, and dissatisfied with the fathers, Julius Proculus, the author of this remarkable story, and who is said to have been a man of veracity, appeared in the open assembly, and spake as follows: "O! Romans, Romulus the father of
" this city, suddenly descending from heaven, ap-
" peared to me yesterday at day-break. While I

the thirty *curiæ*, each of which furnished ten men. They were divided into three companies, and each company had a particular captain called *præfectus celerum*. The whole corps by a general officer, called *tribunus celerum*, whose authority was so great

in Rome, that he may be said to have been the second person in the state. He had a right of assembling the people on some pressing occasions.

^a Marlianus, b. 6. ch. 9. says it was in the *Campus Martius*.

“ stood

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“ stood covered with surprize, and filled with a religious dread, beseeching him to allow me to see him face to face, he said, go tell the Romans, it is the pleasure of the Gods, that my Rome become the capital of the world. Therefore let them cultivate the art of war, and let them know and hand down to posterity, that no human power shall be able to withstand the Roman arms. Having said this, he ascended up to heaven.” It is surprising what credit was given to Proculus, and how much the regret of the common people and army, for the loss of Romulus, was lessened upon this assurance of his immortality.

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XVII.




IN the mean time the fathers, ambitious of getting the sovereignty into their own hands, were wholly employed in caballing. The contest arose not from the ambition of individuals, but the dispute was between the different nations that composed the state; for among this new people, there was not any one far distinguished above the rest by interest and authority. The descendants of the Sabines, afraid of losing their claim to the crown, because they had not enjoyed an equal share of the regal power, since the death of Tatius, were desirous to have a king chosen from among them; and the old Romans had a strong aversion to a foreign prince. Yet, amidst these disputes, the different factions declared unanimously for regal government, because they had not yet tasted the sweets of liberty. The fathers likewise, seeing the state without a king, the army without a general, and knowing that the neighbouring powers were incensed against them, feared a foreign invasion. For this reason they resolved to have a head; but none of them thought of yielding that honor to another. Upon this the hundred fathers took the sovereign power into their own hands. They divided themselves into decuries or tens, and chose one of every ten, who had the chief direction of affairs. Each ten possessed the supreme authority alternately; yet so, as
one

one person only was attended with the lictors and the ensigns of royalty at one time. Their government was confined to five days; it went round them all regularly, and continued in this form for the space of one year, and hence was called an interregnum, a name which it retains at this day. But the people began to murmur, that their slavery was increased, and that they had got an hundred sovereigns instead of one, and seemed determined to bear no authority but that of a king, and a king of their own choosing. When the fathers perceived what was in agitation, they thought it adviseable to offer them, of their own accord, what they must soon be obliged to give up, and conciliated the favor of the people by yielding to them the supreme power, yet in such a manner as they granted them no greater privilege than they reserved to themselves. For they decreed, that when the people should chuse a king the election should be valid, if it was approved by the senate. And the same forms are observed at this day in passing laws and electing magistrates, though they have now lost their effect; for before the people begin to vote, the senators propose the affair, and leave it to the uncertain event of their suffrages. To proceed, the interrex having called an assembly of the people, addressed them in this manner: “Do you, O Romans, chuse yourselves a king, and may it prove fortunate, happy and auspicious to you. The fathers consent to it, and will, if you pitch upon a prince worthy to succeed Romulus, confirm your choice.” The people were so pleased with this concession, that not to be behind hand in complaisance, they only voted, that the nomination of a king should be left to the senate.

NUMA Pompilius was at that time famed for his justice and piety. He dwelt at Cures^a, a city belonging

^a It is now called *Correze* or *Cureze*, and was situated upon a little river.

ver of the same name, falling into the Tiber above *La Farsa*. Cluverius,

CHAP. XVIII.  longing to the Sabines, and was as learned both in divine and human laws, as any man could be in that age. Because they can assign him no other master, it is said he learned his philosophy from Pythagoras of Samos^b; but this assertion is false. For it is certain, that this philosopher, in the reign of Servius Tullius, more than an hundred years after this, kept a school of young men, who eagerly imbibed his doctrine, in the most distant part of Italy, about Metapontus^c, Heraclea^d and Croton^e. But had he been contemporary with Numa Pompilius, how could his fame, from these remote places, have reached the Sabines, or by the common use of what language could he have excited in any one a desire of becoming his scholar? Besides, how could a single man have safely passed through so many nations differing in language and customs? I presume, therefore, that Numa was naturally of an excellent and virtuous disposition, and that he was not so much versed in foreign sciences, as well instructed in the severe and rigid discipline of the ancient Sabines, which was formerly very remarkable for it's strictness and purity. The Roman fathers upon hearing the name of Numa, although they perceived that the scale of power would lean to the side of the Sabines, if they should chuse a king of that nation, yet none of them dared to put himself, or any other of his party, yea nor any of the citizens or fathers, in competition with him, but unanimously resolved to confer the kingdom on him. As soon as he was brought to Rome, in imitation of Romulus, who before the building of the city was raised to the throne by augury, he commanded the Gods to be consulted concerning his own election. Upon this one of the augurs^f, who ever after had the

rius conjectures it was built where now stands the monastery *Il vescovia di Sabina*, bishopric of Sabina.

^b An island in the Archipelago, lying over-against Ephesus. It's compass was eighty-seven miles.

^c Metapontus, a city of Italy, in the bay of Otranto, now *Torre di Mari*.

^d Heraclea stood nigh the bay of Otranto.

^e Croton was a city not far from the same bay, and remarkable for it's wholesom and temperate air.

^f There were at first only three of them established by Romulus, to whom Servius Tullius added a fourth. Their number was afterwards increased to fifteen

the honor to perform that sacred office on public occasions, led him to the castle and set him upon a stone with his face to the south. Then he seated himself on Numa's left-hand with his head covered, holding in his right-hand a crooked staff called *lituus*^s. Where, after looking towards the city and country, he prayed to the Gods, and marked out the quarters of the heavens from east to west; calling the quarter towards the south the right, and that towards the north the leftⁿ. Again he took a prospect straight forward, as far as his sight could reach, and marked the

fifteen, and formed into a college under a head. Their power was very extensive; for neither peace or war could be made, magistrates chosen, or laws passed, or assemblies of the people held, till they first declared it to be agreeable to the will of the Gods; and it was capital to act contrary to their decisions. They pretended to discover the will of the Gods by various means; such as the flight and chirping of birds, by thunder and lightning, by the setting of the wind, by the hunger and posture of chickens. When an augur intended to observe the heavens, he went up to a rising ground, and took the augural staff in his hand, and with it marked out the four quarters of the heavens. He then turned his face to the east, the west behind him, the south on his right, and the north on his left hand. In this position he took his omens. When the thunder was heard to the left, when the lightning came from the east, and was driven back to the same point, when it did not, on falling, make it's way into the earth, but rebounded towards heaven, these were lucky omens; and the contrary signs were deemed unlucky. Ravens, owls, and crows, and such like birds, were supposed to foretel events by their croaking, shrieking, and cawing; but woodpeckers, vultures, and eagles, by their flight, from the left to the right; and from the right to the left. When they took their omens from the wind, they carefully observed whether it's changes were sudden. When these signs furnished no presages, their derniere resort was to their chickens, which they had bred on purpose, and carried about

with them. After ordering a profound silence, the cages were opened, and sometimes a handful of corn, sometimes crumbs, were thrown down before the chickens; if they did not immediately run fluttering to that meat; did not mind it, scattered it with their wings, or flew away, it was an unlucky presage: but if they run eagerly to it; or greedily eat it, letting some grains fall on the floor, it portended the greatest good. Varro, in his fifth book *Of the Latin tongue*, has preserved to us the *effata*, or prayers, they used to pronounce while they carefully observed the different motions of the birds. *Jovis pater, si mihi es auctor, urbi populoque Romano Quiritium, hæc sane sorteque esse, uti tu nunc mihi bene sponfis, beneque volueris.* The word augur is derived by some from *avium gestu*, the motion of birds; by others from *avium garritu*, the chattering of birds.

^s It was a crooked staff without knots.

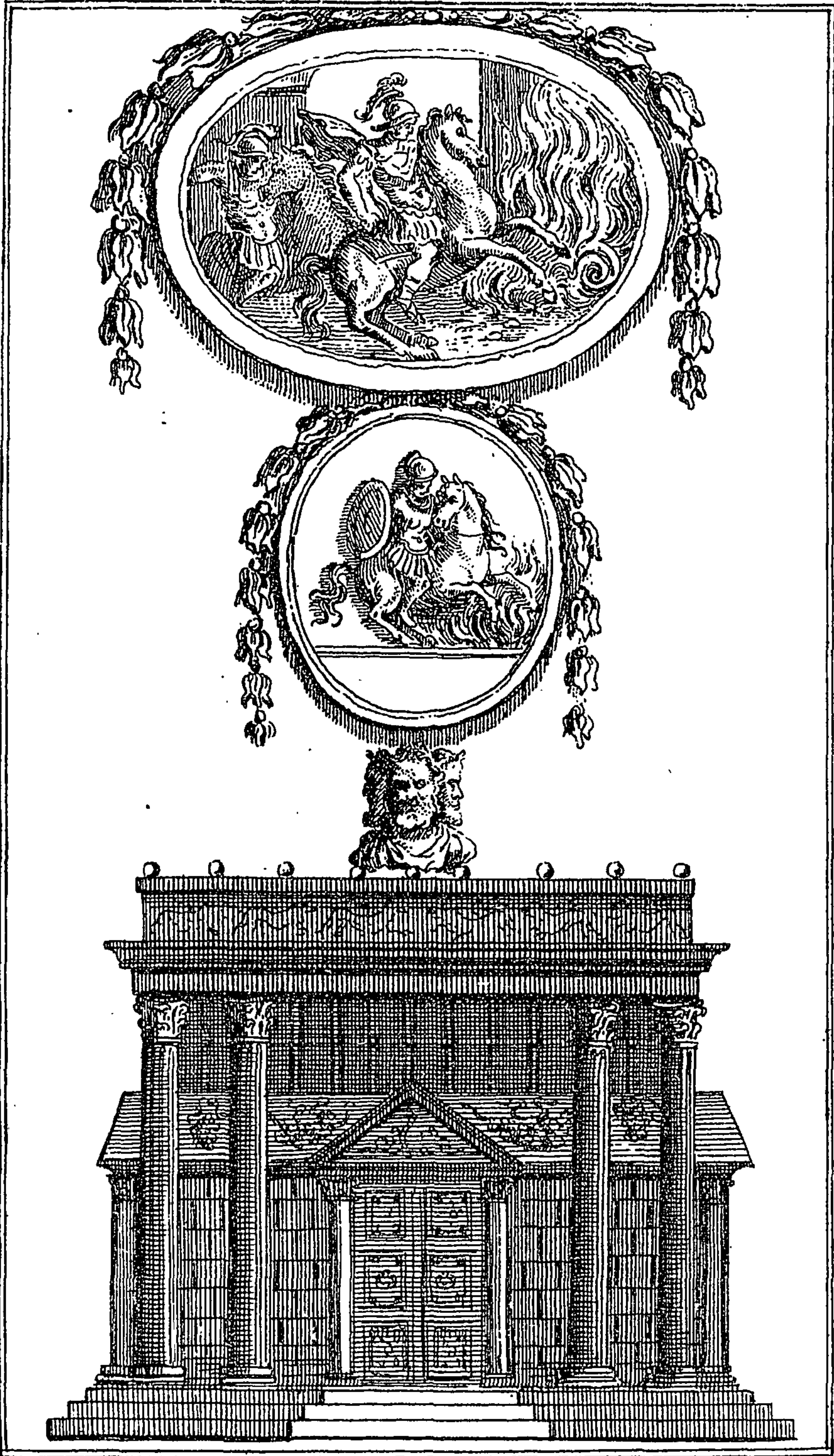
ⁿ For the better understanding the several kinds of auguries, it will be proper to observe the two terms *dextra*, right, and *sinister*, left, which are differently applied by the Greeks and Latines; and very often by the Latines themselves, who sometimes speak agreeably to the Grecian customs, and sometimes according to their own. The Greeks and Romans both derived the happiness of their omens from the eastern quarter. The former turned their face towards the north, and so had the east on their right; the latter turned towards the south, and so had the east on their left. See Bullinger, of auguries and auspices, b. 2d. ch. 2d.

CHAP. XVIII. bounds in his mind. Then shifting the rod into his left-hand, and laying his right upon Numa's head, he made the following prayer: "O father Jupiter, if it is thy will that this Numa Pompilius, whose head I hold, should be king of Rome, I beseech thee to give sure and evident signs of it within those bounds which I have marked." Then he mentioned the omens which he wished to appear, and upon their being seen, Numa was declared king and came down from the temple.

CHAP. XIX. HAVING thus obtained the kingdom, he resolved, by justice, laws, and wise regulations, to make a thorough reformation in this city, which had been at first built by violence and arms. But as he saw that he could not immediately reconcile, to his institutions, a people whose minds were become savage by continual wars; and judging that their fierce tempers must be first softened by diverting them from the violence of arms, he built the temple of Janus^a at the end of the street Argiletum to be a sign of peace and war: that when open, it might shew the state was engaged in war, and when shut, that all the neighbouring nations were at peace with it. Twice only since the reign of Numa hath this temple been shut; once when T. Manlius was consul, at the end of the first Punic war; and a second time, which the Gods granted our age the happiness to see, by the emperor Augustus Cæsar, after the battle of Actium, which procured peace by sea and land. When Numa had shut it and secured all his neighbours by treaties and alliances, having no apprehensions of disturbance from abroad, to prevent his subjects from becoming riotous by ease and quiet, who had been formerly restrained by military discipline and the dread of their enemies, he thought the most effectual method would be to impress the minds of the ignorant and uncivilized multitude with the fear of the Gods. But as

Numa Pompilius king.
Y. of R. 40.
Before J. C.
713.

^a It was a square building all of brass, in which was a statue of Janus, with brazen gates on each side, nobly described by Virgil, *Æneid*. 7.



this reverence for the Gods could make no deep impression on their minds, without feigning some miracle, he gave out, that he had conferences in the night-time with the Goddess Egeria^b, and that by her direction he instituted what religious service and sacrifices were most acceptable to the Gods, and appointed to each of them particular priests to perform the same. And first of all he divided the year into twelve months^c, according to the course of the moon. But because the lunar month is not full thirty days, and besides some days are wanting to make a full year, according to the regular returns of the seasons, he ordered it so, by inserting intercalary months, that twenty four^d of these years taken together should be equal to that number of complete revolutions of the sun, and at the end of that period the days returned to the

^b Some imagine, that this was a mistress of Numa's, and that his passion for the woods and caves proceeded from his love to her. St. Austin, from a passage in Varro's antiquities, says, that this king being skilled in hydromancy, saw several demons in the water, whom he consulted, and that his drawing of water for his magical operations, gave rise to the fiction of his having married the nymph Egeria, who took her name from the word *egerere*, to spout out.

^c Romulus, little skilled in astronomy, had divided the year into ten months, consisting some of thirty five, some of less than twenty days, and begun it with March, which he called after the name of his father Mars. Numa corrected this irregularity, and by using intercalations, and adding two months, January and February, made it consist of three hundred and fifty five days. The lunar year comprehended only three hundred and fifty four; but from a persuasion, that the Gods are pleased with odd numbers, he added one day more. Having thus divided the year into twelve lunar months, he made each month consist of twenty nine or thirty one days, except February, which had only twenty eight, and consecrated it to the infernal Gods, who, he believed, delighted in even numbers. He like-

wise appointed the year to begin with January. But still it did not agree with the course of the sun, which took up eleven days more than the moon. And therefore he ordered an intercalary month of twenty two days, which he called *Mercidinus*, to be inserted every two years, the day after the Terminalia, a festival in honor of the God Terminus, which begun on the twenty second of February. Besides, as the solar year consisted of three hundred and sixty five days six hours, and these six hours, in four years, made a whole day; he appointed the month *Mercidinus* to consist, after every four years, of twenty three days. See *Rollin's Rom. Hist.* in the reign of Numa. Kennet, *Rom. Antiq.* part 2. book 2. chap. ix. p. 86, 87, 88. and *Rom. History*, by N. Hooke, Esq; edit. London 4^{to} 1738. book 1. chap. iii. p. 61, 62.

^d As to the number of years, in the text of our author, necessary to reduce the year to a just point with the solar, we have followed the most vulgar reading. The curious may satisfy themselves by consulting the annotations of Antony Sabellicus, Glareanus, who followed Macrobius, and the Scholia of Carolus Sigonius, who have endeavoured to clear up, in different ways, the obscurity in Numa's regulation of the calendar.

CHAP. XIX. same point of the solar year. He likewise made a distinction of the days^e into auspicious and inauspicious, because on some it would be convenient not to hold any assemblies of the people.

CHAP. XX. NEXT he applied himself to the election of priests, though he performed many sacrifices himself, especially those which now belong to the high priest of Jupiter^a. But presuming, that in a warlike nation, there would be more kings of the temper of Romulus than of Numa, and that they would go to war in person, he appointed a priest constantly to attend the worship of Jupiter, that the religious service ordinarily performed by the king might not be neglected. Him he distinguished by a fine robe, and gave him a curule chair. He likewise added two other flamines, one for Mars^b, and another for Ro-

^e The Roman days were divided into three orders, to wit, *dies festi*, festivals; *profesti*, working days, and *intercisi*, half the one and half the other. The first were dedicated to the service of the Gods; the second allotted for the common affairs of life; the third were divided between sacred and ordinary employments. The *dies fasti* were the same as our court days; upon which it was lawful for the prætor to sit in judgment, and to pronounce the three solemn words, *Do, dico, addico*, I give laws, declare right, adjudge losses. These were called lucky days, and all the others, except the *intercisi*, were called *dies nefasti*, unlucky days, upon which it was not lawful to offer sacrifices, administer justice, hold assemblies of the people, or begin any new expedition.

^a As Jupiter was chief of the Gods, so this flamen took place of all others. He could not accept of any civil employment, and was forbid to ride on horseback, or to look upon an army in battalia. It was unlawful for him to take an oath, and his word alone was sufficient testimony. It was thought a great crime in him to be absent one night from Rome, or to touch a dead body. He was generally of a patrician family, and had large privileges annexed to his office: he wore a hollow

ring on his finger, and none but a freeman could cut his hair. The superstitious regard they had for him was so extravagant, that they were even by law commanded to bury the parings of his nails, and the cuttings of his hair, under a happy tree. The flamines, of which he was chief, were chosen by the people, and consecrated by the pontifex maximus. They were confined to the service of one God, whose name they bore: they could bear no other priestly office, and could only be deposed for very enormous crimes: it was unlawful for them to appear in public, or offer sacrifice uncovered. Their wives partook of the priesthood, and assisted at the sacrifices. They could not be divorced, and lost their priesthood upon the death of their wives. They were assisted in the sacrifices by boys and girls, intrusted to their care, and whose fathers and mothers were living. Some imagine they were called *flamens* from the flame colored tufts upon their caps; but Plutarch says, they were first called *pilamines*, from *pileus*, a cap, which they wore, and that *flamines* is only a corruption of *pilamines*.

^b The *Flamen Martialis* held the second rank after the *Flamen Dialis*. During the first ages of Rome he was not allowed to go out of Italy.

mulus.

mulus^c. He instituted the vestal virgins^d, an order which took it's rise from Alba, and had a near relation to the family of the founder of Rome. That they might constantly attend in the temple, he appointed them salaries out of the public treasury; and by obliging them to preserve their virginity, and to observe other religious rites, he made the order sacred and venerable. He created twelve Salii^e to Mars Gradivus,

^c The *Flamen Quirinalis* was next to the *Flamen Martialis* and was under the same restrictions.

^d These virgins were dedicated to the service of the Goddess *Vesta*, who some think represented the whole world, though the vulgar worshipped her as the Goddess of the *earth* and of *fire*. In allusion to this, Numa built her a round temple, in which form the temples of this Goddess are represented in medals. These virgins were at first but four in number, to which Tarquin the Elder added two more. They were chosen by lot from six to ten years of age, and none above that were admitted. They were obliged to preserve their virginity for thirty years, the first ten of which was spent in learning religious ceremonies; the second ten were employed in the performance of them; and the last in instructing the younger vestals. After this time passed in strict continence they were allowed to marry. They had very great privileges, being always attended in public by a licitor, and if they happened to meet a criminal going to execution, they could pardon him; provided they could swear, that their meeting was accidental. As soon as they were admitted into that sacred office, they were mistresses of their fortune, and could make their wills, even while their parents were alive. On the other hand, the punishment of their faults was very severe; but especially of their incontinency. She who was so unhappy, was closely wrapt up in her clothes, and carried in a litter cross the forum, through the gate Collina, preceded by her relations in tears, till they came to a pit dug in the ground, in a place without the city wall, allotted for that peculiar use, and thence called *Campus sceleratus*, or the wicked

field. Into this pit she was let down alive, and covered with earth. Some say they were burnt, others that they were stoned. The man, who had criminal commerce with her, was whipped to death. It was reckoned a very unhappy omen, to let the sacred fire go out, for which neglect they were whipped by the pontifex maximus through a vail. The fire was rekindled, either by rubbing two pieces of wood together, or by the rays of the sun.

^e They were so called from Salius, who was chief of a band of musicians, whom Evander brought with him out of Arcadia into Italy; or a *saliendo*, from their *dancing*. Their business at first was singing at the sacrifices: Italy being infested with a severe plague, Numa took that opportunity of reviving the order. He made the Romans believe, that a shield of uncommon make fell from heaven; and that he was informed by his Goddess Egeria, that the prosperity of the city depended on the preservation of it. Therefore to prevent it's being stolen, he caused eleven more exactly like it to be made, and hung them all up in the temple of Mars, and twelve young Romans of good families were appointed to keep them, to whom he gave the name of Salii. They composed a college, consisting of the same number of men with the shields they kept. The three seniors governed the rest, of whom the first was called *præsul*, the second *vates*, and the third *magister*. The descent of this shield was yearly celebrated by them on the first of March, when they came out of the temple in procession, carrying each one of these shields on his left arm, and a javelin in his right hand. In this procession they sometimes sung, and sometimes danced.

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Gradivus^f, distinguished them with an embroidered Tunic, and gave them a breastplate of brass to wear above it. They were appointed to carry the shields called Ancilia^g which fell from heaven, and to go through the city singing songs, with capering and solemn dancing. Then he chose out of the number of the fathers Numa Marcius the son of Marcus for high priest^h, and delivered to him an entire system of religious rites wrote out and sealed, shewing what sacrifices were to be offered, upon what days, and in what temples; and likewise from what funds the money was to be taken to defray the expence of them. He put all religious institutions, whether public or private, under the cognizance of the high priest, to the end that the people might have a proper judge to consult, and to prevent all innovations in religion, by neglecting the rites established in their own country, and introducing foreign ceremonies. The high priest likewise was ordained to in-

danced. None could be admitted into their order but natives of Italy, free-born, and whose fathers and mothers were alive. After the solemnity, they were regaled at great expence.

^f This surname, according to Festus, was given to Mars *a gradiendo*, because it is common to advance to battle with a slow and regular pace; or from the brandishing of a spear, which the Greeks call *κραδαινειν*.

^g These shields were made in an oval form, with several folds or plaits closing one over another. They exactly fitted the elbow by their figure, and from that were called ancilia, from *ἀγκύλη*, *a crooked javelin*; or from *ἀγκών*, *the cubit*, that part of the arm between the wrist and the elbow, upon which they were carried. See note on Salii, p. 39.

^h The pontifex maximus was always chosen by the people, and generally taken from amongst the other pontifices. His office was reckoned one of the most honorable in the commonwealth. The word *pontifex* is commonly derived from *pons* and *facere*; because the care of repairing

the bridges was committed to them, and the most solemn sacrifices offered upon them. But Plutarch finds fault with this etymology of the word. He says it was used in Rome before there were any bridges, and derives it from the word *potnis*, which signifies *powerful*. Others derive it from *potis*, *able*, and *facere*, *to sacrifice*. For about four hundred and fifty years after the building of the city, there were only four pontifices chosen out of the patricians. But the people being desirous to share that honor, four other plebeians were added: Sylla added seven more. The first eight were called superiors, and the rest inferiors. The office of the pontifex was to give judgment in all religious causes; to enquire into the lives and manners of the inferior priests, and punish them if he saw occasion; to prescribe rules for public worship; to regulate the feasts and sacrifices, and all other sacred institutions. Festus calls the pontifex maximus, *Judex atque arbiter rerum humanarum divinarumque*, *Judge and arbitrator of human and divine affairs*.

struct the people not only in the worship due to the celestial deities, but also in the manner of performing funeral obsequies, and of appeasing the manes of the dead. Besides he taught the people to expiate and purge by sacrifice the prodigies foretold by thunder, or any other phænomena, and to attain the knowledge of future events, he dedicated an altar to Jupiter Eliciusⁱ on the Aventine hill^k, and consulted him by augury about every thing he undertook.

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AS the learning and performing these rites diverted the people from violence and arms, and kept them constantly employed, so being convinced that the divine providence interests itself in human affairs, the fear of the Gods, continually impressed upon their minds, filled them with such religious sentiments, that promises and oaths awed the state almost as effectually as terrors and punishments. Nor did his subjects only form themselves after the example of the king as the completest pattern; but the neighbouring nations, who had formerly looked upon Rome, not as a city, but as a camp pitched in the middle of them for disturbing the publick tranquillity, were brought to entertain so great a veneration for it, that they deemed it impious to injure a state entirely employed in the religious service of the Gods. There was a grove, through the middle of which there constantly ran a brook of water, issuing from a dark grotto. As Numa went often thither alone, under pretence of conferring with the Goddes, he dedicated it to the muses, that there he might meet and advise with them and his wife Egeria. He also instituted a yearly festival to the Goddes

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ⁱ This surname was given to Jupiter *ab eliciendis fulminibus*, giving omens by thunder.

^k Various have been the disputes among critics about the derivation of the name of this hill. Some will have it to have been called *Aventinus* from an Alban king of that name; others from the river *Avens* in Sa-

binia; and some *ab avibus* from the birds which constantly repaired thither in great flocks. It was two miles and a quarter in circuit, and had the city wall to the east; the Campus Figulinus to the south; the Tyber to the west; and mount Palatine to the north.

CHAP. XXI. Faith^a alone, and commanded the priests to be carried to her temple in an arched chariot drawn by two horses, and to perform the divine service with their hands wrapt up to the fingers, to signify that Faith ought to be protected, and that her seat ought to be sacred and inviolable even in mens right-hands. He instituted many other sacrifices, and dedicated the places for offering them, which the priests called *Argei*^b. But the master-piece of his policy was, that during the whole course of his reign, he had no less regard to maintaining the public tranquillity, than to the support of his regal authority. Thus two successive kings improved and enlarged the state by different maxims, the first by war, and the latter by peace. Romulus reigned thirty seven years, and Numa forty three: and by them the state was both tempered and strengthened by the arts of peace and war.

CHAP. XXII. UPON the death of Numa, the administration returned again to an Interregnum; after which the people appointed Tullus Hostilius, the grandson of that Hostilius who made the noble stand against the Sabines at the foot of the castle, to take upon him the government. This election was confirmed by the fathers. He was not only unlike to the former king, but even of a more warlike disposition than Romulus: besides, his youth and strength, and the renown of his grandfather, fired his ambition. Thinking therefore that the state was enervated by peace, he sought every where for pretexts to raise war. It happened very favorably for his designs, that the Roman and Alban peasants had plundered each others

Tullus Hostilius chosen king.
Y. of R. 82.
B. J. C. 670.

^a Dicyonius Halicarn. book 2d. admires no part of Numa's management so much, as this scheme to make the Romans honest, by turning *Bona fides*, *Good faith*, into a Goddess, and appointing her divine worship. It was an invention intirely new, and contributed exceedingly to make the republic faithful to her treaties, and citi-

zens to their contracts with one another. So strict was their regard to truth, that the judges often determined doubtful causes, by the bare affirmation of the defendant.

^b All the places for performing religious service at Rome were called *Argsi* from *Argivi* Grecians.

lands. C. Cluilius at that time governed Alba. Both nations sent ambassadors almost at the same time to demand restitution of the goods that had been carried off. Tullus ordered his to execute their commission without delay. He knew well that the Albans would refuse to give satisfaction, and that this would furnish him with just ground for a war. But the Alban deputies were more remiss in the execution of their orders. For being received by Tullus in an obliging and friendly manner, they, in return to his civility, spent their time in feasting with the king. The Romans were before-hand in demanding restitution, and, upon the refusal of the Albans, declared they would begin hostilities after thirty days, and of this they gave Tullus notice. Upon which he granted an audience to the Alban ambassadors, in order to hear their demands. They, ignorant of all that had passed at their court, wasted the time in making apologies ; “ That it was with the utmost reluctance they would “ say any thing in the least disagreeable to Tullus ; “ but they must obey their orders. That they had “ come to demand restitution of goods ; and if this “ should be denied, they were commanded to declare war.” To this Tullus made answer, “ Go “ tell your king, that the king of the Romans takes “ the Gods to witness, which of the two nations “ hath with contempt first dismissed the ambassadors “ demanding restitution of goods, that on it they “ may revenge all the mischiefs of this unjust war.” The Albans sent information of these things home.

BOTH sides made all possible preparations for the war, which had very much the appearance of a civil one, in a manner between parents and children. They both derived their original from Troy ; for from thence came Lavinium, from it Alba, and the Romans from the race of Alban kings. But the manner in which the war terminated made it less calamitous ; for they never came to any action, and the two nations were united only by demolishing the houses

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houses of one city. The Albans first entered the Roman territories with a great army. They pitched their camp not above five miles from the city and fortified it with a ditch, which, for some ages, was called Cluilius's ditch from the name of the general, till, in process of time, the place and name were both forgot. In that camp Cluilius the Alban king died; upon which the Albans created Mettius Fuffetius dictator. In the mean time, Tullus being in high spirits, especially on the death of the king, and giving out that the supreme God, who had begun at the head, would take vengeance on the whole Alban nation for this unjust war, passed the enemy's camp in the night time, and marched in an hostile manner into their territories. This made Mettius leave his camp likewise, who, drawing as near as he could to the enemy, sent an herald to tell Tullus, that an interview would be convenient before they should come to an engagement. If he would appoint a conference with him, he was certain he had matters to represent which equally concerned the interest of Rome and Alba. Tullus not slighting the motion, though he suspected it was only made to amuse him, drew out his men in order of battle, as did the Albans likewise. As both armies stood in battalia, the chiefs, with a few nobles, advanced into the middle between them. At this conference, the Alban dictator expressed himself thus: "Methinks I have heard our king Cluilius alledge, as causes of the present war, injuries done us by the Romans, and goods not restored according to treaties, when they were demanded: neither do I doubt, O Tullus, but you will urge the same things: yet were we to speak truth instead of using specious arguments, the true motive, which prompts two nearly allied and neighbouring nations to take up arms, is an ambition of sovereignty; whether justly or unjustly, I say not; let the first aggressor answer for that. The Albans have chosen me general for carrying it on. I would only have you, Tullus, consider, how closely


ly



“ly we both, but you more particularly, are hem-
 “med in by the powerful state of Etruria. But
 “as you are nearer to it, you must be more sensible
 “of the common danger. Its strength by land is
 “considerable, and very mighty by sea. Be assured,
 “that as soon as you shall give the signal for battle,
 “our two armies will be an agreeable fight to them,
 “who will fall both on the conquerors and conquered,
 “wearied and spent with fighting against each other.
 “Therefore, in the name of the Gods, seeing we
 “are not contented with certain liberty, but will run
 “the risk of either sovereignty or slavery, let us a-
 “gree on some expedient whereby it may be deter-
 “mined which shall reign over the other, without
 “great mischief to, or shedding much blood of ei-
 “ther nation.” Tullus, though naturally inclined
 to war, and elated with the hope of victory, was not
 averse to the proposal. After deliberation on both
 sides a method to decide the contest was agreed to,
 and fortune pointed out the proper persons.



IT happened that there were in each of the two
 armies three brothers born at one birth, of equal age
 and strength. It is very certain they were called Ho-
 ratii and Curiatii; nor is there any action among the
 ancients, either more celebrated or better known; yet
 however distinctly the other circumstances of this story
 are related, a doubt remains concerning their names;
 to which nation the Horatii, and to which the Curiatii
 belonged. Authors are divided about it; yet I find
 the greater number agree, that the Horatii were on
 the Roman side. My inclination leads me to follow
 them. The kings dealt with the three brothers to de-
 cide the fate of their country in combat, assuring them,
 that the sovereignty over both nations should be their’s
 whose side should get the victory. They readily con-
 sented, and the time and place were appointed. But be-
 fore they engaged, a treaty, between the Romans and
 Albans, was agreed to on this condition, “That that
 “nation, whose champions should come off conque-
 “ rors

CHAP. XXIV.  rors in the combat, should peaceably reign over the other." Different treaties are made on different terms, but they are all concluded in the same general method. This is the most ancient treaty recorded in history, which was ratified in the following form: a Fecialis^a asked king Tullus thus, "Do you command me, O king, to conclude a treaty with the pater patratus of the Alban people?" After the king gave him orders, he said, "I demand of thee, O king, vervain." To which the king replied, "Bring some that is pure." The Fecialis brought some pure grass from the altar, and again asked the king, "Do you, O king, appoint me the royal ambassador of the Romans? Do you assign me equipage and a retinue?" The king answered, "What can be done without detriment to my right, or to that of the Roman people, I do." The Fecialis was M. Valerius who appointed Sp. Fusius pater patratus, touching his head and hair with vervain. The office of pater patratus^b is to administer the

^a Varro derives the name from *fides*, because they had the care of the public faith in leagues and covenants. Others derive it a *foedere faciendo*, making treaties. Their original in Italy was very ancient. Dionys. Halicar. finds them among the Aborigines, under the name of *σπευδοπόροι*, carriers of the libations. Numa first instituted the order at Rome, consisting of twenty persons, chosen out of the noblest families in the city. They were ranked among the officers of religion, to procure them the greater respect. They were arbitrators of all controversies relating to peace and war; nor was it lawful on any account to take up arms, till they had declared all expedients, that might bring about an accommodation to be insufficient. The ceremonies used by them in denouncing war, and confirming former treaties after satisfaction given, are fully related by our author. Cicero likewise mentions a law which shews in a few words the function of the Feciales: *Fœderum, pacis, belli, induciarum, oratores feci-*

ales judices duo sunt, bellaque disceptant. Aul. Gell. says, when the Fecialis threw the bloody javelin into an enemy's country, that he pronounced the following form of words: *The Hermondulian* (a word of no determinate signification, but applied to all nations) *people, and those of this country, have offered violence to the Roman people, who for that reason declare war against them.*

^b Rosinus says, that this officer was the constant governor of the Feciales, book 3d. chap. 21. Fenestella makes him a distinct officer, chap. 6. *Of the Roman priests.* Pomponius Lætus, and Polydore Virgil, say, that he was chose by one of the Feciales, out of their own college, on extraordinary occasions, which opinion is supported by our author in this place. The person intrusted with this office behoved to be one, who had a father and children both alive, and from hence the name of pater patratus signifies *a father in reality, or a perfect sort of father*, for such was he thought to be, whose father was alive,

the oath, that is, to ratify the treaty, which he repeats in a long form of words too tedious to be recited. After setting forth the conditions, he says, "Hear, O Jupiter, hear, O pater patratus of the Alban people, and ye Alban people hear. The Romans will not first break those articles which have been, from first to last, read out of waxed tables without deceit, and this day fully understood. If they, by publick authority or fraud, shall first violate them, do thou, O Jupiter, in that day so strike the Romans as I this instant strike this hog; and let thy stroke be proportionably heavier as thou art more mighty and powerful." Having done this, he struck the hog dead with a flint stone. The Albans took the oaths and ratified the treaty in form by their dictator and priests.

THE treaty being concluded, the twin-brothers, as had been agreed, took their arms. Each side encouraged their own champions, by putting them in mind "that the Gods of their country, their country and parents, all their fellow-citizens, both at home and in the army, under the greatest anxiety had their whole dependance on their weapons and hands." They, naturally bold and animated by these exhortations of their countrymen, advanced into the middle between the two armies, which stood before their several camps rather out of danger for the present, than free from solicitude; for empire was at stake, and depended on the bravery and fate of so few. Therefore being distracted between hope and fear, their attention was at that instant entirely fixed upon the disagreeable scene. The signal was given, and the champions, three of a side, animated with the courage of great armies, engaged with all the fury of mighty hosts. It was not their own particular dan-

ave, after he himself was father of several children. Plutarch says, it was a political contrivance of Numa, who wisely judged, that one who had a father and children alive, would be more faithful to his country, and steadily promote it's true interest.

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ger, but public sovereignty or slavery, that presented themselves to each of their minds; and the thoughts that they were to decide the future fate of their country. But when, at the first encounter, the spectators heard the clashing of their arms, and saw the glittering of their burnished swords, they were seized with great horror; and as neither side had greater ground of hope than the other, it was with difficulty they could either speak or breathe. But on their coming to grapple hand to hand, when not only the motions of their bodies, and the brandishings of their dangerous weapons and arms, but the very wounds and blood were seen, the three Albans were wounded, and two of the Romans fell and expired the one above the other. At whose fall, while the Alban army shouted for joy, the Roman legions, though they had lost all hopes of victory, were yet under great concern for their surviving champion, whom the three Curiatii surrounded. As good luck would have it, he was not wounded; and though not able to fight all the three at once, was yet an overmatch for them singly. Therefore in order to separate them, he retreated, being convinced that they would pursue him at such distances as their bodies, differently galled with wounds, would permit them. He had already run a good way from the place they had fought in, when looking back he perceived them following him at a great distance from one another. Observing one not far from him, he turned short on him with great fury. And while the Alban army called out to the Curiatii to assist their brother, the victorious Horatius, having killed the first, was running to encounter the second. Then the Romans with such shouts, as are commonly made on success after despairing of victory, encouraged their champion, who made all possible haste to finish the combat. And before the third, who was not far off, could come up, he dispatched the second. And now there remained but one champion on each side to decide the quarrel; but their strength and hopes were very unequal. A body free
from

from wounds, and a double victory, encouraged Horatius boldly to encounter his antagonist ; while he, dragging after him a body weakened with loss of blood, fatigued with running, and dispirited with the sight of his two brothers slain before his eyes, presented himself an easy prey to his victorious enemy. It could not be called a fight. The Roman in triumph said, “ I have sacrificed two persons to the
“ manes of my brothers ; the third I will sacrifice to
“ the decision of this war, and that the people of
“ Rome may obtain the sovereignty over the people
“ of Alba.” And as he tottered under the weight of his arms, Horatius struck him on the throat, and stript him as he lay dead. The Romans, triumphing on account of the victory, received Horatius with hearty gratulations, and their joy was the greater, because they had almost despaired of success. Then they set about burying their dead, but with very different hearts, for the one side was become sovereigns, and the other subjects of a foreign state. Their tombs remain in the place where each of them fell. The two Romans are buried in one nearer Alba, and the three Albans towards Rome, but as distant from each other as the places in which they fought.

BEFORE they left that place, Mettius, pursuant to the treaty which had been concluded, asked Tullus, what orders he would give him : the Roman king commanded him to keep the youth ready in arms, because he designed to employ them, if a war should break out with the Veientes. After this both armies returned home. Horatius marched foremost, carrying before him the spoils of the three Curiatii, and was met before the gate Capena ^a by his sister, a virgin who had been contracted to one of the Curiatii. She knowing her lover’s military robe, which she had wrought with her own hands, tore her hair, and with bitter wailings called on her

^a It was so called because the Ap-
pian road to *Capua* lay through it.

It now bears the name of *Porta di S.
Sebastiana*,

CHAP. dead sweet-heart by name. The sister's lamentations
 XXVI. raised the indignation of the young man, elated with
 his victory and the great public rejoicings that had
 followed thereon. Therefore drawing his sword, he
 run her through the body, at the same time chid-
 ing her severely. "Go hence, with thy unseason-
 "able passion to thy lover, forgetful of thy dead
 "brothers, and of him who is alive, forgetful of
 "thy native country. And thus may every Roman
 "woman perish, who mourns for the death of an
 "enemy." This action seemed barbarous to the
 fathers and to the people; but the late glorious ser-
 vice Horatius had done his country screened him
 from punishment. Nevertheless he was arraigned
 before the king, who being unwilling to do a thing
 so odious and disagreeable to the people, as either
 condemning or after sentence punishing the criminal,
 summoned an assembly of the people and said, "I
 "appoint Duumvirs^b to judge the treason of Hora-
 "tius according to law." The form of the law is
 terrible. "Let the Duumvirs judge the treason.
 "If the criminal appeal from the Duumvirs, let his
 "appeal be heard. If their sentence shall be con-
 "firmed, let him be hood-winked; let him be
 "hanged upon an unlucky tree by a rope; let him
 "be whipt either within or without the Pomœrium."
 By this law Duumvirs were appointed, who thought,
 that according to it, it was not in their power even
 to acquit an innocent person. Having therefore found
 him guilty, one of them pronounced sentence thus,
 "P. Horatius, I judge thee guilty of treason; go,
 "executioner, bind his hands." The executioner
 came and was fastening the rope, when Horatius, by
 the advice of Tullus, a merciful interpreter of the

^b *Duumviri perduellionis*, or *capitales*, were officers created for judging traitors. They were first appointed by Tullus Hostilius on this occasion; and continued, as often as necessity required, during the regal government, and some time under the consular, at it's first institution. But

afterwards they were laid aside many years as a grievance. Cicero, in the decline of the commonwealth, complains, in an oration for C. Rabirius, who was accused of treason, of their revival by Labienus, tribune of the people.

law, called out, “ I appeal.” And upon this appeal the cause was tried before the people. In the trial the judges were moved with compassion, especially by P. Horatius the father, who cried out, that he thought his daughter was justly killed : if it had been otherwise, he would have punished his son by virtue of his paternal authority. Then he begged that they would not make him childless, whom they had seen a little before blessed with so excellent a progeny. Upon this the old man, embracing his son, and pointing to the spoils of the Curiatii, fixed up in that place now called Pila Horatia^c, says, “ Can ye, O Romans, look on him bound under a
 “ gallows amidst whips and tortures, whom you but
 “ lately saw in triumphant procession, adorned with
 “ the spoils of his enemies ? A spectacle so shock-
 “ ing, that even the eyes of Albans could not en-
 “ dure it ! Go, executioner, bind those hands which
 “ lately when armed purchased sovereignty for the
 “ Roman people ! Go, hood-wink the deliverer of
 “ this city ; hang him on an unlucky tree ; whip
 “ him either within the Pomœrium^d, provided it be
 “ amongst these javelins, and the spoils of his ene-
 “ mies ! or without the Pomœrium, so it be amidst
 “ the tombs of the Curiatii ! For whither can ye
 “ lead this youth, where the honors he has achiev-
 “ ed cannot protect him from so shameful a punish-
 “ ment ? ” The people could not withstand the tears of the father, or the resolution of the son, so undaunted in all kinds of danger ; and acquitted him more through admiration of his bravery, than for the justice of his cause. But that so notorious a murder might be in some manner expiated, the father was commanded to make satisfaction for the son at the public charge. He, having offered certain expiatory sacrifices, which were ever after continued in the Horatian family, and set up a gallows in the highway, made his son pass under it as under a yoke^e with
 his

^c A square pillar built of stone.^d See chap. 44. of this book.^e This humbling ceremony was required by the Romans of those enemies

CHAP. his head covered. The gallows remains even at this
 XXVI. day, being constantly repaired at the expence of the
 public, and is called Sororium Tigillum^f. A tomb
 built with square stones was erected to Horatia in
 the place where she was stabbed and fell.

CHAP. THE peace made with Alba did not continue
 XXVII. long. The murmurs of the populace, because the
 fate of their State had been hazarded on three sol-
 diers, debauched the fickle temper of the dictator ;
 and seeing wholesom councils had not succeeded, he
 begun to conciliate to himself their affections by per-
 fidious designs. Therefore as he had first sought
 peace when he was engaged in war, so now when
 he enjoyed it, he longed for war ; and observing
 that his own city had more courage than strength,
 he stirred up other nations to commence open hosti-
 lities, reserving to his own to act the part of traitors
 under the disguise of allies. The Fidenates, a Ro-
 man colony, having communicated their design to
 the Veientes, under promise of being joined by the
 Albans, were induced to declare war, and take up
 arms. When Fidenæ had openly revolted, Tullus,
 sending for Mettius and his army from Alba, march-
 ed against the enemy. Having passed the Anio²,
 he encamped at the conflux of the two rivers. Be-
 tween that and Fidenæ, the Veientes had passed the
 Tiber. They drew up in order of battle on the
 right wing near to the river, and the Fidenates were
 posted on the left nearer the mountains. Tullus op-

mies who surrendered their arms, and
 submitted to the power of the con-
 querors. After which they had the
 liberty of returning to their own coun-
 try. The king's design in forcing the
 young Horatius to submit to this ig-
 nominy, was to make the criminal
 sensible, that according to the custom
 of the Romans, he deserved the fate
 and punishment of a slave. After a
 criminal was once declared guilty of
 high treason, and an enemy to his
 country, his name was struck out of
 the number of citizens, and he was

looked on as a slave delivered to the
 rigor of the laws. This was their
 way of proceeding against the citizens
 who had betrayed the interests of their
 country.

^f The sister's rafter.

² A remarkable river in Italy, a-
 rising out of the mountains of Tre-
 bia ; it waters the country Tibur,
 and falling from a precipice with pro-
 digious force forms a cataract, and
 after gliding through the vallies emp-
 ties itself into the Tiber. It is now
 called Teverone.

posed

posed his own men to the Veientes, and the Albans he set against the army of the Fidenates. The Alban general having as little courage as honor, and not daring either to stay, or openly to go over to the enemy, by degrees withdrew to the hills. When he thought he had got far enough, he posted his army on a rising ground, and being in suspense what resolution to take, to waste time, he widened their ranks. His design was to take part with the conquerors. The Romans, who stood next them were at first amazed, when they saw their flanks left exposed by the drawing off of their allies. Then a trooper came at full gallop to inform the king, that the Albans were moving off. Tullus, in this dangerous juncture, vowed twelve Salii to Mars, and temples to Fear and Paleness. And calling aloud to the trooper, so as the enemy might hear, ordered him to return to the battle, saying, “There was
 “no ground of fear; that by his order the Alban
 “army was marching round to fall on the unguard-
 “ed rear of the Fidenates.” He likewise com-
 manded him to order the cavalry to carry their spears high, by which expedient the greatest part of the Roman foot were prevented from seeing the motion of the Alban army. Those who saw it, believing what they had heard the king say, fought with the greater ardor. The panic left the Romans and seized the enemy as soon as they heard what the king pronounced so audibly, for great part of the Fidenates, as being a colony sent from Rome, understood Latin. Therefore, that their retreat to the town might not be cut off by a sudden descent of the Albans from the hill, they turned their backs. Tullus pursued, and having routed that wing in which the Fidenates were, returned with greater fury against the Veientes disheartened by the defeat of their allies: nor were they able to sustain his charge; but the river which was behind them prevented a general rout. When they fled that way, some, shamefully throwing down their arms, rushed

CHAP. blindfold into the river ; others, while they hovered
 XXVII. on the banks, considering whether they should fight
 or fly, were killed. The Romans had never fought
 a bloodier battle.

CHAP. THEN the Alban army, that had been specta-
 XXVIII. tors of the fight, marched down into the valley.
 Mettius congratulated Tullus on his defeat of the
 enemy, while Tullus on his part treated Mettius
 with great civility. He ordered the Albans and
 Romans to incamp together, which he prayed might
 prove beneficial to both, and prepared a purging sa-
 crifice ^b against next day. As soon as it was light,
 and

^b The word *sacrificium* more properly signifies the thing offered, than the action of offering. The two common words to express the former, were *victimæ* and *hostia* ; which though they are very often confounded, yet by the first word is properly meant the greater sort of sacrifices, by the other the less.

There were some standing rules and ceremonies to be observed in all sacrifices.

The priest (and sometimes the person that gave the victim) went before in a white garment, free from spots and figures : For Cicero tells us, that white is the most acceptable colour to the Gods ; I suppose, because it seems to denote purity and innocence.

The beast to be sacrificed, if it was of a larger sort, used to be marked on the horns with gold ; if of the lesser sort, it was crowned with the leaves of that tree which the Deity was thought most to delight in, for whom the sacrifice was designed. And besides these, they wore the *insulæ* and *vittæ*, a sort of white fillets, about their head.

Before the procession went a public crier, proclaiming *hoc age* to the people, to give them notice that they should forbear working, and attend at the solemnity. The pipers and harpers too were the fore-runners of the show ; and what time they could spare from their instruments, was spent in assisting the crier to admonish the people. The sacrifice being brought

to the altar, the priest took hold of the altar with one hand, and ushered in the solemnity with a prayer to all the Gods ; mentioning Janus and Vesta always first and last, as if through them they had access to the rest. During the prayer, some public officer was to command the strictest silence, for which the common expression was, *Favete linguis*, a phrase used by Horace, lib. 3. ode 1. Juvenal, sat. 12. Tibullus, lib. 2. eleg. 1. &c. And the piper played all the while, to hinder the hearing of any unlucky noise. After his prayer, the priest began the sacrifice with what they called *immolatio*, the throwing some sort of corn and frankincense, together with the *mola*, i. e. bran or meal mixed with salt, upon the head of the beast. In the next place, he sprinkled wine between the horns ; a custom very often taken notice of by the poets. Virgil, *Æn. iv.* 60. Ovid, *Fast.* 1.

But before he poured the wine on the beast, he put the plate to his own mouth, and just touched it with his lips, giving it to those that stood near him to do the like. This they termed *libatio*.

In the next place he plucked off some of the roughest hairs, growing between the horns of the beast, and threw them into the fire, as the *prima libamina*. *Æn. vi.* 246.

And now turning himself to the east, he only made a sort of crooked line with his knife, from the forehead

and all things in readiness, according to custom he commanded both armies to be assembled. The heralds, beginning at the utmost line, called the Albans first, who eager to hear what they had never heard before, a Roman king harangue, crowded next to him. The Roman army by concert surrounded them ; and the Centurions had it in charge to execute their orders without delay. Then Tullus spoke as follows : “ If ever, O Romans, in any battle, you had more than ordinary reason to be thankful in the first place to the immortal Gods, and then to applaud your own valour, it was in yesterday’s. An action more considerable, and attended with greater danger, as you had to do not more with enemies than with perfidious and treacherous allies. For, to undeceive you, the Albans retired to the hills without my orders. It was not my command, but a stratagem ; and I only gave it out to be so, that you, still ignorant of your being deserted, might not be discouraged from fighting, and that your enemies, terrified at the thoughts of being surrounded, might turn their backs. Nor do I charge all the Albans with this crime : they only followed their general, as you would have done, had it been my pleasure to have drawn off from thence to another place. It was Mettius, that same Mettius, author of the present war, and infringer of the peace between the Romans and Albans, who led them in this retreat. Let any one for the future attempt the like villainy, if I do not make him a remarkable monument to all men.” The armed Centurions

head to the tail ; and then delivered the beast to the public servants to kill. We find these inferior officers under the several names of *popæ*, *agones*, *cultrarii*, and *victimarii* : Their business, besides the killing of the beast, was to take off his skin, to bowel him, and wash the whole body. Then the *haruspex*’s duty came in place, to search the entrails for good

or bad omens. When this was over, the priests had nothing else to do but to lay what parts they thought fittest for the Gods upon the altar, and to go and regale themselves upon the rest. See *Alex. ab Alex. lib. 4. cap. 17.*

The lustral or purging sacrifice consisted of a sow, a sheep and a bull.

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hemmed them close in while the king continued his speech. “ My purpose is, and may it prove fortunate and auspicious to the Roman people, to myself, and to you, O Albans, to transplant all the inhabitants of Alba to Rome : to grant your people the rights of citizenship, and to admit your nobles into the rank of senators : to make one city, one republic ; that as the Alban state was formerly divided, it may again be made one.” On hearing this the Alban youth, defenceless, surrounded by armed men, divided in their opinions, and terrified at the common danger, stood mute. Then Tullus proceeded : “ If, O Mettius Fuffetius, it had been possible for you to have learned honor, and to observe treaties, you might have lived and learned of me. But now, since your spirit is incorrigible, you shall, in your death, set mankind a lesson of the sanctity of those treaties which you have violated. As therefore your heart lately fluctuated between the states of Fidenæ and Rome, so now your body shall be torn asunder.” Then, having brought for the purpose two chariots drawn by four horses, he fastened Mettius, stretched at full length, to their wheels, and immediately driving the horses contrary ways, each chariot dragged after it such members of his body as were tied to it. The spectators, not able to behold this shocking sight, turned away their eyes. This was the first and last instance of a punishment inflicted by the Romans inconsistent with the laws of humanity : on all other occasions they may boast, that no nation ever used less severity in punishments.

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IN the mean time the horse were detached before to Alba to transplant the people to Rome, and after them the foot marched to demolish the city. Their entry into it was not attended with such confusion and terror as is usual at the taking of towns, where, after breaking the gates, levelling the walls by battering rams, or taking a citadel by storm, the shouts

shouts of the enemy, and running of armed men through the town, spread fire and sword every where; but a mournful silence and fullen grief so seized the hearts of all, that, through fear, forgetting what they should leave, or what carry away with them, without counsel, and often asking one another questions, they sometimes stood in their doors, and sometimes roved up and down their houses, which they were to see no more. But no sooner did the voice of the horsemen, commanding them to be gone, hurry them away, than the crash of the houses, which were demolishing, were heard from the most distant parts of the city, and the dust, rising in different places, covered every thing like a cloud. Then every one snatching up what he could, left his household Gods, his country Gods, and those very roofs under which he had been born and educated. A continued train of those who were removing, covered the streets, and their tears were renewed at the sight of one another through mutual sympathy. Doleful shrieks, especially of the women, were heard as they passed by their magnificent temples beset with armed men, and left their Gods as it were prisoners. As soon as the Albans had evacuated their city, the Romans levelled all, both public and private buildings, with the ground, and in one hour demolished and razed what had been the work of four hundred years, for so long had Alba stood. But the temples were spared by the king's express order.

THE demolition of Alba, in the mean time, became a considerable accession of greatness to Rome. The number of citizens was doubled. Mount Coelius^a was added to the city, and in order to fill it with inhabitants, Tullus built a palace, and ever after lived there. Likewise, to augment the order of se-

^a One of the seven hills of Rome, which according to Suetonius, the emperor Tiberius ordered by an edict to be called *Augustus*. Varro de L. L. book 4. says it was called the *Tuscan* village. Tacitus says it was called *Quercetulanus*, from a grove of oaks that grew on it. The Tuscans anciently called it *Mastarna*.

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nators, he admitted into it the principal of the Alban families, the Julii, Servilii, Quinctii, Geganii, Curiatii, and Clælii. Upon this addition to the order, he built a temple for a senate-house, which bore the name of Hostilia even in the days of our fathers. And that every rank might acquire some additional strength from the new people, out of them he formed ten centuries of knights: with them he likewise recruited the old, and raised new legions. In confidence of this re-inforcement, he declared war against the Sabines, at that time the most powerful and warlike of all their neighbours, except the Hetrurians. Injuries had been done by both sides, and satisfaction demanded in vain. Tullus complained of the seizing some Roman merchants, at a free mart held near the temple of the Goddess Feronia^b; as did the Sabines, of their people being detained at Rome, notwithstanding they had taken refuge in the azylum. These injuries were given out to be the causes of the war. The Sabines reflecting, that Tatius had incorporated part of their force with Rome, and also upon the late accession of strength to that state by transplanting the Albans thither, likewise looked out for foreign aid. The Hetrurians bordered upon them, and of these the Veientes were their nearest neighbours. From thence they drew such volunteers as still retained a keen resentment of the former wars, and were eagerly disposed for a revolt. They also hired vagabonds and some of the poorer sort of people to lift in their service; but they had no assistance from the state. For the Veientes strictly observed the treaty formerly concluded with the Romans, and as to the other nations it is less surprizing, that they took no part with them. After both sides had made all possible prepa-

^b Feronia, *a ferendis arboribus*, a Goddess of the groves. The tradition is, that when her grove on the mountain Soracte, now *Monte San-silvestro*, was burnt down, the people carried her picture to the place, and immediately the wood grew up again. Servius says, she was a nymph of

Campania. He makes her also the Goddess of freemen, in whose temple, after shaving their heads, they put on their caps, the badge of their liberty. According to Strabo, persons inspired by her could walk barefooted over burning coals without being hurt.

ration for the war, and nothing seemed to remain, but who should strike the first blow, Tullus was beforehand with them, and marched into their country. They fought a bloody battle near the Malefactors' forest, in which the Roman army was far superior, not only by the strength of their foot, but also by the late augmentation of their horse. The Sabine ranks were first broke by a vigorous charge of the Roman cavalry, nor could they afterwards either fight or fly without exposing themselves to be slaughtered by the enemy.

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XXX.

AFTER this defeat of the Sabines, when the administration of Tullus was in high renown, and the Roman state in a very flourishing condition, word was brought to the king and senate, that it rained stones on mount Alba. As they could scarce give credit to the report, they sent proper persons to enquire into the prodigy, who saw them fall thick from heaven, like hail-stones which the winds drive in round balls along the ground. Besides they imagined that they heard a loud voice from the grove on the summit of the hill, requiring the Albans to perform their religious service according to the rites of their native country, which they had forgot, as if they had relinquished their country and their Gods at the same time, and either conformed to the religion of Rome, or enraged at their ill destiny, utterly renounced the worship of the Gods. The Romans on account of this prodigy, either in obedience to the heavenly voice which they had heard from mount Alba, for this reason is assigned, or by the advice of the Haruspices^a, also instituted an expiatory sacrifice for

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XXXI.

^c It is plain it was so called, because it served as a retreat for robbers.

^a The haruspices had their name *ab aris aspiciendis*, from looking upon the altars; as *ab extis inspicendis*, looking upon the entrails, they were called *extispices*. They came first from

Hetruria, where the art was in most credit. The Tuscans are said to have learned the whole mysteries belonging to this art, from a boy, whom they ploughed out of the ground. Cicero, de divin. b. 2. Afterwards twelve young noblemen of Rome were sent thither to be instructed in the science, which

CHAP. for the space of nine days. This much is certain,
 XXXI. that as often as the city was alarmed with the same
 prodigy, nine days were yearly employed in such expiations. Not long after the pestilence raged among them. Though it checked their military ardor, yet their warlike king gave them no respite from arms, convinced that action contributed more to the bodily health of the youth, than loitering at home; till at length he himself was seized with a lingering distemper. His great spirit sunk so much at the same time with his body, that he who till then thought nothing more unbecoming the dignity of a monarch, than a mind addicted to the observances of religion, of a sudden gave himself up to superstition in every instance great and small. He is said likewise to have

which consisted in fore-telling future events, by attending to the circumstances of victims. They took their observations from four appearances. First from the beasts before they were cut up. In this case it was reckoned an ill omen, if the beast would not come to the altar without dragging, when it broke it's rope, run away, avoided the stroke, struggled much after it, made a great bellowing, was long a dying, or bled but little. Secondly from the entrails of the beasts after they were cut up. In this, most regard was had to the tongue, the heart, liver, spleen, lungs and the reins. If all these were sound; if the top of the liver was large and well made, and if it's fibres were strong, it was presumed the enterprize would be successful. If, on the contrary, they were livid and unsound, it foreboded some fatal event. A double liver, a little or lean heart were always unlucky. But nothing occasioned so much surprize and fear as when the heart or some of the noble parts were not to be found in the victim, which often happened through the avarice of the priests, who conveyed them away designedly. They found their account in sporting thus with the superstition of the people, since by that means, they often obtained a second victim, to supply the defects of the first. Thirdly, they drew their knowledge from the man-

ner in which the fire consumed the victim. If the flame brightened immediately, was pure and clear, rose up in a pyramid without noise, and did not go out till the victim was consumed; these were happy signs. Fourthly, they likewise considered the smoke; whether it curled, or spread itself to the right or left, or gave a smell different from the common one of broiled meat. In the meal, frankincense, wine, and water used by them on these occasions; they observed whether they had their proper taste, color, &c. and gave an agreeable smell.—The flesh of the victim was boiled in a caldron, with the wood of some tree consecrated to some Deity; for which reason Virgil and Ovid call the fires, which boiled the entrails of the victims, *sanctos ignes & pium ignem*, *sacred and pious fires*. When it was dressed it was served up in dishes to the Gods, by being placed upon their altars. Virg. *Æn.* 12. The haruspices were not entirely confined to altars and sacrifices, but had an equal right to the explaining all sorts of prodigies. They were often consulted by the senate on extraordinary occasions, and if those at Rome labored under a bad character, others were sent for from Etruria. Their college had their particular registers and records, as well as those of other religious orders.

infected

infected the people with it. For the generality, loudly demanding that affairs should be restored to the same state which they had enjoyed under king Numa, believed there was no other relief for their diseased bodies, than obtaining peace and pardon from the Gods. It is given out, that the king finding, as he searched the register of Numa, that certain private sacrifices had been yearly offered by him to Jupiter Elicius, shut himself up to perform the same; but either they were unseasonably begun, or not regularly offered; for he not only saw no celestial apparition, but Jupiter was so provoked at his mistaken zeal, that he consumed both him and his house with lightening. Tullus reigned two and thirty years, and had the character of an excellent soldier.

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XXXI.

UPON the death of Tullus, the government, according to the original institution, returned into the hands of the fathers, who having named an interrex, and he assembled the comitia, the people elected Ancus Marcius king. The fathers confirmed the election. He was the grandson of Numa Pompilius by his daughter. As soon as he ascended the throne, reflecting on the renown of his grandfather, and the administration of the former king, glorious in every respect excepting this, that religion had either been utterly neglected, or not performed according to due rites; and intending to restore the ancient institutions of Numa, commanded the high priest to collect them out of that king's register, and transcribe them into tables to be exposed to the view of the people. His own subjects, enamoured with ease, and likewise the neighbouring nations, from hence entertained great hopes, that he would fall into the conduct and customs of his grandfather. In this confidence the Latines, with whom Tullus had concluded a treaty, took courage, and made an incursion upon the Roman lands; and when the latter demanded satisfaction, returned them a contemptuous answer, thinking

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XXXII.

Ancus
chosen king.
Year of R.

114.
B. J. C.
638.

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thinking their indolent king would devote his whole reign to chapels and altars. As Ancus in his natural temper resembled both Romulus and Numa, he was equally disposed either for peace or war. And besides that he thought pacific measures were more necessary in the reign of his grandfather, when the people were but newly settled, and of a martial temper; he likewise considered, that he could not enjoy that peace which Numa had, without exposing himself to insults; that his patience had been tried, and on the trial derived on him contempt; that the present times required rather a martial Tullus than a pacific Numa. Yet as Numa had, in peace, instituted religious rites, so he, after his example, would establish military regulations, whereby war should not only be carried on, but declared in proper form. He copied, from the ancient *Æquicolæ*^b, that form which the *feciales* in our days observe, when they demand satisfaction for injuries. The *fecialis* when he comes to the frontiers of that people of whom satisfaction is to be demanded, having his head covered with a woollen cap, says, “Hear, O Jupiter, “hear, O confines, (naming the nation they belong “to) let justice hear. I am a public messenger of “the Romans; I come with a just and pious com- “mission, and let my words gain credit.” Then after mentioning his demands, he makes a solemn appeal to Jupiter. “If I unjustly or impiously demand “those persons and these goods to be given up to “me, the messenger of the Roman people, then “never permit me to return to my native country.” These words he repeats when he comes to their frontiers, to the first man he meets, at his entering the gate of their city, and at his going into the marketplace, varying some few words in the form of the speech and oath. If those persons whom he demands are not delivered up before the expiration of thirty-three days, for this was the time limited, he declares

^b A people inhabiting the hills above Tiber.

war in form as follows: "Hear, Jupiter, and thou Juno, thou Romulus, and all ye celestial, terrestrial and infernal Gods, give ear! I call you to witness, that this nation (naming it) is unjust, and acts not according to the laws of equity; but we will consult the fathers in our own country, concerning these matters, and by what means we may obtain our right." After that he returns to Rome for advice, and the king immediately consults the fathers almost in the following words: "Concerning such matters, differences, and quarrels, as the Roman pater patratus, in behalf of the Roman people, hath declared to the pater patratus of the Ancient Latines, and such things as ought by the Ancient Latines to have been yielded, granted, and performed, and which they have neither yielded, granted, nor performed, What think you?" addressing himself to the first whose opinion he asked; who answered, "I think these things ought to be demanded by open and just war; for this I declare, and for this I vote." Then others were asked in order, and when the majority of those present agreed in the same opinion, the war used to be unanimously concluded on. In consequence of this resolution, the *fecialis* used to carry in his hand a javelin headed with iron, burnt at the end, and dipped in blood, to the confines of the enemy's country, and pronounced the following prescribed form of words in presence of at least three persons, not under fourteen years of age. "On account of the injuries and damages done to the Roman people, by the people of the Ancient Latines, and because the Roman people have commanded war to be made upon the Ancient Latines, and the senate of the people of Rome hath voted, agreed, and determined, that war should be denounced against the Ancient Latines, I and the people of Rome solemnly proclaim and begin it." After he had gone through this form, he threw a dart upon the enemy's lands. In this manner was restitution at this time demanded

of the Latines, and war proclaimed against them, and this ceremonial posterity adopted.

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XXXIII.

ANCUS entrusting the care of sacred things to the flamines and priests, levied a new army, and marching against Politorium^a, a city of the Latines, took it by storm. After the example of former kings, who had enlarged the Roman state by taking their enemies into the city, he transplanted all the people to Rome. And seeing the ancient Romans inhabited round the Palatine hill, the Sabines in the Capitol and castle, and the Albans fill'd mount Cœlius, the Aventine was assigned to the new people, whose number was soon after encreased upon the taking of Tellenæ and Ficana^b. After this Politorium was reduced a second time by force of arms, because the Ancient Latines had taken possession of it when desolate. The Romans therefore demolished it, to prevent it's being ever after a place of refuge to the enemy. At last, when the whole war with the Latines was confined to Medullia, they fought there with various fortune, sometimes the one and sometimes the other gaining the victory; for the town was both well fortified and defended by a strong garrison, and the Latines being encamped in the open fields, had several times joined battle with the Romans. At last Ancus, mustering all his forces, obtained a complete victory over them in a pitched battle, and having thereby got a considerable booty, returned to Rome. At this juncture many thousands of the Latines were admitted into the city, to whom, in order to join the Palatine and Aventine hills, he assigned habitations near the temple of Murcia^c. Janiculus^d was

^a It is difficult to determine exactly where Politorium stood. It was in Latium, and commonly reckoned to have been fourteen or fifteen miles south east from Rome.

^b These two cities are conjectured to have stood at a little distance from each other, above Lavinium, towards the mouth of the Tiber.

^c The Goddess of Sloth, who made

men idle and lazy. Her temple stood at the goal of the Circus, or horse-race, whence the place was called *Metæ Murciae*.

^d One of the seven hills of Rome, now called *Montono*. From it is had the fullest prospect of the city. It has the Tiber to the east and south; the fields to the west, and the Vatican to the north.

likewise added, not for want of room, but lest at any time it should become a lodgment for the enemy. He thought proper to join it to the city, not only by a wall, but likewise, for the sake of an easy communication, by a wooden bridge^c, which was the first built cross the Tiber. The Fossa Quiritium, a good defence against the easy access to the city from the low grounds, was the work of this king. Upon this great addition to the state, as the people were very numerous, and it being difficult to distinguish good from bad, many secret villainies were committed, in order to check the growing licentiousness, he built a prison in the heart of the city, overlooking the forum. Nor was the city only enlarged under Ancus, but even it's lands and territories. The forest Mœsia^f was taken from the Veientes, and the Roman domain extended to the sea. He built the city Ostia^g at the mouth of the Tiber, dug the salt-pits about it, and after extraordinary success in war enlarged the temple of Jupiter Feretrius.

IN the reign of Ancus, there came to settle at Rome, one Lucumo, a rich and active man, prompted chiefly by the hopes and strong desire he had of obtaining honors and preferment there, which he could not attain to at Tarquinii^a, the city where he

^c The words *pons sublicius* signify a bridge of wood; but *sublicius* may likewise be the proper name of this bridge, and so they may be translated the bridge *sublicius*. *Sublicius* is derived from *licio*, to join. The pontifices first, and afterwards the quæstors, had the care of supporting and repairing this bridge. Plutarch tells us, that the quæstor *Æmilius* built a stone bridge instead of this wooden one, about the year of Rome 747.

^f A wood of Tuscany, now called Bosco di Montano, towards the river Armenta not far from Ostia.

^g The ruins of this city lye above new Ostia. It was founded on the east bank of the Tiber, in the elbow

which the sea makes at the mouth of that river. Dionys. Hal. gives a noble description of the port belonging to it; but Strabo, b. 5. says it was a very sorry one. The Latin word *ostium* signifies a door or entrance, and this town was probably called *Ostia*, because it stood at the entrance of the port.

^a A town of Hetruria built by Tarcon, who is said to have assisted Æneas against Turnus, and from him it got the name of Tarcona. It is now called Tarqueno, and is in the *patri-mony of St. Peter*, in the duchy of Castro. It's ruins are yet to be seen; a mile above Corneto.

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was born, because his parents were foreigners. He was the son of Demaratus, a Corinthian, who, flying his country for sedition, had happened to settle at Tarquinii, and having married a wife there, had two sons by her. Their names were Lucumo and Aruns. Lucumo, surviving his father, became heir to all his estate. Aruns died before his father, leaving a wife with child. The father did not long survive the son, and as he knew not that his daughter-in-law was with child, died without making any provision for his grandchild in his will. The boy that was born after the death of his grandfather, as he had no share in his fortune, was, on account of his poverty, called Egerius^b. Lucumo, on the other hand, sole heir of all his father's fortune, as riches inspire pride, became more ambitious upon marrying Tanaquil, a lady of great distinction, and who could not easily brook that the quality of her husband should be inferior to that of the family, whereof she was descended. As the Hetrurians despised Lucumo, because his father was a foreign exile, she could not bear the affront, and regardless of the innate love of her native country, provided she might see her husband advanced to honors, resolved to leave Tarquinii. Rome seemed to be the fittest place for her purpose. She said, that in this state lately founded, where all nobility is of fresh date, and the reward of merit, there would be room for her husband, a man of courage and activity, to expect preferment. That Tatius a Sabine had been king of Rome: that Numa had been sent for from Cures to reign there: that Ancus had a Sabine for his mother, and could only shew the single statue of Numa for his nobility. By these discourses she easily persuaded him who was naturally ambitious, and only attached to Tarquinii because his mother had been born in it, to remove to Rome with all his effects. They happened to come to the Janiculum; there, as he sat in the chariot with his wife, an eagle, suspended on her wings,

^b From, *egere*, to be in want.

gently stooping, took off his cap, and flying round the chariot with great noise, as if she had been sent from heaven for the very purpose, orderly replaced it on his head, and then flew aloft. Tanaquil is said to have received this omen with great joy, being a woman well skilled, as the Etrurians generally are, in celestial prodigies, and embracing her husband, bade him hope for great honors and preferment. She assured him, “ That that bird had come from a particular quarter of the heavens, and was the messenger of Jupiter; that it had taken the omen from the highest part of man: that it had lifted the ornament off his mortal head, to place it on the same, by the command of the God.” Reflecting on what had happened, and filled with mighty hopes, they entered the city, and having purchased a house there, he got the name of Lucius Tarquinius Priscus. As he was a stranger and very rich, he was soon taken notice of by the Romans. He likewise promoted his own good fortune by his affability and kind invitations, and gained the favor of as many as he could by doing them all manner of good offices. His behaviour was such that his fame soon reached the court, where, by discharging his duty about the king with generosity and address, he soon became intimate with him, and improved this intimacy so far, that he was made his confident; and was present at all public and private councils, relating either to peace or war. And having on all occasions given proofs of his ability and integrity, at last the king in his will appointed him guardian to his children.

ANCUS reigned twenty four years, and was not inferior to any of the former kings in the arts of peace and renown in war. His sons were nigh fourteen years old, which made Tarquin summon the comitia for the election of a king with the utmost expedition. After he had called an assembly of the people, he sent the boys a hunting, at the time of

CHAP. their meeting. He is said to be the first who earnest-
 XXXV. ly sued for the crown, and to have made a speech
 composed on purpose to gain the hearts of the peo-
 ple. “ He did not aim at any thing that was un-
 “ common, or without precedent ; and that no-
 “ body could be offended or surprized at it; for he
 “ was not the first, but the third foreigner, who
 “ had aspired to the crown of Rome. That Tattius
 “ was not only of an alien, but even of an enemy,
 “ made king. Numa, who was unacquainted with
 “ the constitution of the city, and without soliciting
 “ it, had been invited by them to take upon him
 “ the government. That as soon as he was at his
 “ liberty, he had come to Rome with his wife and
 “ whole fortune, and had there spent a greater part
 “ of that age in which men are employed in civil
 “ offices, than in his native country. He had both
 “ in peace and war thoroughly learned the Roman
 “ laws and religious customs, under a most ex-
 “ cellent master king Ancus. He had vyed with
 “ all in duty and loyalty to his prince, and even
 “ with the king himself in his bounty to others.”

Tarquin the
 elder chosen
 king.

Year of R.

138.

Before J. C.

614.

While he was recounting these undoubted facts, the people by a great majority elected him king. The same ambition which had prompted Tarquin, who was otherwise an excellent man, to aspire to the crown, did not leave him after he obtained it. And being no less careful to establish his own authority, than improve the commonwealth, he created an hundred new senators, who from that time were called *Senatores Minorum Gentium*^a, and were a party always sure in that king's interest, by whose favor they had been advanced to that dignity. The first war he made was with the Latines, from whom he took *Appiolæ*^b by storm, and bringing back more booty

^a They were so called because they were chosen out of plebeian families. But this name was never authorized by any public act: they had the same authority as other senators, and their children were deemed patricians.

^b It is conjectured, that *Appiolæ* was

situated near the Anio, in the neighbourhood of *Crustuminum* and *Corniculum*, upon the confines of *Latium* and *Sabinia*. This city was entirely destroyed, and there are now no traces of it remaining.

than could have been expected in such an inconsiderable war, he celebrated his games with more cost and magnificence than the former kings. The place for the circus, which is now called Maximus^c, was then first marked out, and places were allotted for the senators and knights, where they might erect galleries for themselves. These galleries were called *fori*. They stood to see the games on scaffolds raised twelve feet from the ground supported by forked posts. The games consisted in horse-races and boxing by champions generally brought from Etruria. From this time they were performed every year with great solemnity, and were otherwise called the Roman and Great Games. The king likewise gave the ground round the forum to private persons to build on, and there they erected shops and piazzas.

HE was preparing to enclose the city with a stone wall, when a Sabine war obstructed his designs. It broke out so suddenly, that the enemy had passed the Anio, before the Roman army could meet and stop them, which greatly alarmed the city. In the first battle many were slain on both sides, and the victory disputed. After this the enemy's forces retired into their camp, and the Romans getting time to make new levies for the war, Tarquin, thinking that the weakness of his army lay in the want of horse, determined to add other centuries to the Ram-

^c This circus had four fronts; one at the bottom of it, where the posts stood, round which the chariots were obliged to turn; one at the opposite end, where they started, and one at each side, where the spectators sat in two great galleries. It is certain, that at least that front, where the turning posts stood, described part of a circle; and it is probable, that the opposite front, from which the chariots started, was semicircular. Dionys. Hal. says, that this circus was three stadia and an half long, and four jugera broad, and that one hundred and fifty

thousand men could sit in it at their ease. According to Pliny, a stadium contained six hundred and twenty five Roman feet, each of which contained twelve inches or sixteen fingers breadth, consequently it must have been two thousand one hundred and eighty seven Roman feet long. The jugerum contained two hundred and forty Roman feet, so that it was nine hundred and forty Roman feet broad. It stood in the Myrtian valley, and reached from the Aventine to the Palatine hill.

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nenses, the Tatienfes and Luceres which Romulus had appointed, and to distinguish them by his own name. Because Romulus had done this by augury, Accius Navius, at that time a celebrated soothsayer, insisted that no alteration or new appointment of that kind could be made, unless the birds approved of it. The king enraged at this, and, as it is said, ridiculing the art, says, “Come, thou diviner, tell me, whether what I am thinking on can be done or not?” When he had tried the thing by divination, he affirmed it could certainly be done. “I was thinking,” replied the king, “whether you could cut asunder this whetstone with a razor. Take them and perform what thy birds foretel may be done.” Upon this, as it is reported, he immediately cut the whetstone into two. A statue of Accius^a, with his head veiled, was erected in the comitium^b, upon the stairs on the left of the senate-house, the spot where the thing was done. It is likewise pretended, that the whetstone^c was deposited in the same place, that it might remain a monument of that miracle to posterity. It certainly derived so much honor to augury and the college of augurs, that nothing was undertaken either in peace or war without taking the auspices. Assemblies of the people were dismissed, armies, after they were levied, disbanded, and affairs of the greatest importance delayed, when the birds would not allow it. Nor did Tarquin then make any other alteration in the centuries of horse, except doubling the number

^a If we may judge of Navius by his statue, which was of a lesser size than ordinary, he was but small of stature. It appears by the medals, that the augurs were always represented with one of the lappets of their robe thrown over their heads like a cowl, when in the performance of their office.

^b It was so called *a cotundo quasi comitundo*, because the people assembled in that place. It was a part of the forum of Rome, at the foot of

mount Palatine, over-against the capitol.

^c Some authors say the stone was buried in the comitium, near the place where justice was administered, and above it was erected an altar, on which men were sworn, by touching it with their hands. The form of the oath was this, *Si ego te, calling Jupiter to witness, sciens fallo, ita me diespiter bonis, salva urbe & arce, ut ego hunc lapidem*, and then let drop a stone which they had in their hands.

of men in each of these corps, so that the three centuries consisted of one thousand eight hundred knights. The newly added were incorporated under the same names with the former ; which, now that their number is doubled, are called six centuries.

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HAVING augmented this part of his forces, he fought a second battle with the Sabines. But, besides, that the Roman army was thus reinforced, they slyly had recourse to a stratagem ; persons were sent to set fire to a great quantity of timber, lying on the banks of the Anio, and then throw it into the river. The burning wood, driven by the wind, caught hold of the piles and boats^a, and set the bridge in a flame. This accident damped the Sabines in time of battle, and after they were routed, hindered their flight ; so that many, who had escaped the enemy, perished in the river. Their arms floated down the Tiber, and being known at Rome, ascertained the victory, before any account of it could be brought by the king's courier. The chief glory of this action was due to the cavalry : for being posted in the two wings, when the infantry, which composed the main body of their own army, gave way, it is said, they charged so briskly in flank, that they not only stopt the Sabine legions who pressed hard on those who retired, but quickly put them to flight. The Sabines ran with great precipitation to the mountains, yet few reached them ; for, as we said before, the greatest part was pushed by the horse into the river. Tarquin thinking it advisable to pursue the enemy closely while they were in this consternation, after sending the prisoners to Rome, piling up and burning the spoils which he had vowed to Vulcan, advanced with his army into the Sabine territories. Though the Sabines had been very unsuccessful, and could not hope for better fortune, yet as the approach of the enemy allowed them no time to deliberate, they came

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^a Part of the Sabine army was posted on one bank of the river, and part on the other, and had a communication by a bridge of boats.

out to meet him with an army raised in haste. They were again defeated, and being reduced to the last extremity sued for peace.

CHAP. COLLATIA^a and all the land about it was
xxxviii. taken from them, and Egerius the king's nephew
left there with a garison. I find it upon record, that
the people of Collatia surrendered, and that the form
of the surrendry was as follows: the king asked
them, "Are ye ambassadors and deputies sent by the
" people of Collatia to surrender yourselves and
" them?" "We are." "Are the people of Collatia
" their own masters?" "They are." "Do ye sur-
" render yourselves and the people of Collatia, their
" city, lands, water, boundaries, temples, utensils,
" and every thing sacred or profane belonging to
" them, into my power, and the hands of the Ro-
" man people?" We do." "And I receive them,"
says the king. The Sabine war being ended, Tar-
quin returned in triumph to Rome. Then he made
war upon the Ancient Latines, who did not venture
a general battle with him; yet by carrying his arms
against their towns one after another, he subdued
all the nation. The cities of Corniculum, old Fi-
culnea, Cameria, Crustumium, Ameriola, Medullia,
and Nomentum^b, were either taken from the An-

^a This city stood on the confines of Latium and Sabinia, between the Prænestine way, and the left bank of the Anio, six miles from Rome.

^b Most geographers place Corniculum between the Tiber and the Anio, half-way from Tibur to Fidenæ. Holstenius thinks it stood where now stands the little town of St. Angelo, near Torre Vergata, two miles from the *Montes Corniculani*, mentioned by Dionys. Hal. b. i. which Kircher thinks were the mounts St. Angelo and Monticelli.

Ficulnea was a town of Latium.

Cameria stood not far from Rome, and is conjectured to have been in the neighbourhood of Cenina, near the river Anio. Holstenius says, it was

beyond this river near Palombara.

Crustumium was a town belonging to the Sabines. It is now called *Palombara*, or Monte Rotondo.

There is no trace left of Ameriola.

Medullia stood at a small distance from Rome and the Anio. But there remain at this time no marks of it's ancient situation.

Nomentum was one of the most considerable cities of Sabinia, near the Salarian way and the banks of the river *Allia*, not far from the waters which are at this time called *i bagni della Grotta Marrozza*, ten miles from Rome. It is now only a village bearing the name of *Lomentano*.

cient Latines, or from those who had revolted to them. Upon this a treaty ensued ; after the conclusion of which he set about the works he had begun in time of peace with greater vigor than he had carried on the war ; insomuch that the people enjoyed no more ease and quiet than they had done in the field : for he prepared to surround the city with a stone wall, on the side where he had not fortified it ; the beginning of which work had been interrupted by the Sabine war. Because it was difficult to carry off the water from the flat grounds, he drained the low places of the city about the forum^c, and the other vallies, lying between the hills, by common sewers^d which were carried sloping into the Tiber. Moreover he levelled an area for founding a temple to Jupiter in the capitol, which he had vowed to him in the Sabine war ; his mind even then presaging the future grandeur of the place.

AT that time, a prodigy that was both wonderful in it's appearance, and surprizing in it's conse- CHAP.
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^c The Roman forums were public buildings, about three times as long as they were broad. They were surrounded with arched portico's, only some passages were left for places of entrance. They were of two sorts, *fora civilia* and *fora venalia*. The first were designed for the ornament of the city, and for the public courts of justice ; the others were intended for no other end but the necessities and conveniencies of the inhabitants, and answered to our markets. In this place is meant the *forum Romanum*, which belonged to the former sort. Tarquin the elder adorned it with portico's, temples, and shops for tradesmen on all sides. It was so called because of it's antiquity, and of the most frequent use of it in public affairs. Mart. and Stat. call it *forum Latium* : Ovid gives it the same name, and likewise that of *forum magnum*. Herodian calls it *τὸν ἀρχαῖον ἀγορὰν*, *forum vetus*. It reached from the capitol to mount Palatine,

^d All the arches of these sewers were built with hard stone ; and no expence was spared to make the work durable. Their height and breadth were so considerable, that a cart loaded with hay could easily pass through them under ground. But the greatest difficulty of the work was to convey the waters, which through these sewers were to carry off the filth into the Tiber. It was necessary to cut, through rocks under the city, a channel large enough for a navigable stream, and covered with arches strong enough to bear the weight of houses, which were often built upon them, and stood as firm as on the most solid foundations. We may judge of the expence of this prodigious work, from the sum which the censors gave to him who undertook to clean the sewers, which was a thousand talents. This last sum, according to Dr. Arbuthnot's computation of the Attic talent, amounts to 193750*l*. sterl.

quences,

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quences, happened in the palace. It is said, that the head of a boy, called Servius Tullius, was seen by many by-standers surrounded with a flame as he lay fast asleep. The noise was so great, upon seeing this strange sight, that the royal family was awaked. The queen stopt one of the servants who was bringing water to extinguish the flame; and after the confusion was over, forbade them to disturb him, till he should awake of his own accord. As soon as he awoke, it disappeared. Then Tanaquil, taking her husband into a private place, says, “Do you observe
“this boy whom we bring up in so mean a manner?
“I would have you know for certain that he will be
“a light and a guide to us in our adversity, and a
“protector to our royal family in distress. From
“henceforth let us, with the utmost care, train up
“this youth, who is capable of becoming the greatest
“ornament to the public and to us.” From this time the boy was treated as their own son, and instructed in those sciences whereby great souls are excited to aim at an elevated fortune. This prediction was easily accomplished, because it was agreeable to the pleasure of the Gods. The young man displayed a disposition truly worthy of a king. Nor, when they looked out for a son-in-law to Tarquin, could any of the Roman youth be compared to him in any accomplishment; and therefore the king gave him his daughter in marriage. For whatever reason this great honor was conferred upon him, it leaves us no room to believe that he was either born of a slave, or was himself a slave in his infancy. I am rather of their opinion who say, that upon the taking of Corniculum, the wife of Servius Tullius, who was the chief man in that city, was left with-child when her husband was killed, and known among the rest of the prisoners: that the Roman queen, solely on account of her quality, rescued her from slavery: she lay in at Rome in the palace of Priscus Tarquinius: and afterwards, on account of this great favor, the two ladies contracted an intimate friendship; and that

the

the boy, being brought up at court from his infancy, had been highly beloved and esteemed there; that the fortune of the mother, who, upon the destruction of her native country, fell into the hands of the enemy, gave rise to the story of his being born of a slave.

ABOUT the thirty eighth year of Tarquin's reign, Servius Tullius was in the highest favor not only with the king, but also with the senators and people. But the two sons of Ancus, though their resentment was formerly raised to a very high pitch, upon seeing themselves deprived of their father's kingdom by the fraud of their guardian, and the supreme power in Rome lodged in the hands of a foreigner descended of no family belonging to that state, nor even within the bounds of Italy; yet they thought the affront would be still more intolerable, if the kingdom, instead of returning to them, should after the death of Tarquin come immediately into the hands of a slave: and that one, who was not only a slave himself, but whose mother was a slave^a, should enjoy the sovereignty in the same state, where, about an hundred years before, Romulus, of divine descent and himself a God, had swayed the scepter so long as he lived on this earth. They considered it as a reproach to the Roman name, but especially to their family, that, while the male issue of Ancus remained, not only foreigners, but even slaves should be raised to the Roman throne. They therefore resolved to employ their swords to prevent that disgrace. But as their sense of the injury done them excited their indignation against Tarquin more than against Servius, they likewise foresaw, that if they should suffer him to live, the revenge of a king would be more severe than that of a private man; and after taking off Servius, it was probable he would adopt for his successor, in the kingdom, whomsoever

^a See preceding chapter, and book 4. chap. 3.

CHAP. XL. he should chuse for his son-in-law. Upon all these considerations, the plot was laid against the king himself. Two of the most resolute of all the shepherds, chosen for executing their cruel design, and armed with such iron instruments as they used in husbandry, under pretence of a quarrel, made as great a noise as they could at the gate of the palace, and thereby drew all the king's officers about them. As both appealed to the king, and their clamor was heard over all the palace, they were called before him. Upon their first appearance they bawled out both at once, striving to interrupt one another with their noise; but when checked by the lictor, and ordered to speak by turns, they ceased railing. Then one of them according to concert begun to tell his story, and while the king was stedfastly looking upon him, the other lifting up his hatchet struck him on the head, and leaving it in the wound, both of them made the best of their way out of doors. Those who were present took up the king ready to expire, and the lictors seized the assassines endeavouring to make their escape. This occasioned a noise, and the people flocked together in great numbers, wondering what the matter was.

CHAP. XLI. TANAQUIL during the confusion put out all that were present, and ordered the palace-gates to be shut; and, as if she had entertained hopes of her husband's recovery, carefully got ready every thing proper for the cure of the wound: but in case her hopes should be disappointed, she thought on other means of securing herself. Therefore sending in haste for Servius, she shewed him her husband almost without any signs of life, and taking him by the right-hand, conjured him, not to let the murder of his father-in-law go unrevenged, nor his mother-in-law be exposed to the insults of her enemies. "The kingdom is yours, Servius," said she, "if you act like a man of resolution; not theirs, who by the hands of ruffians have committed the worst of crimes. Take cou-
rage,

“ rage, follow the direction of the Gods, who, by
 “ spreading a divine flame round this head, have
 “ foretold, that it shall one day appear in the world
 “ with great lustre; let this celestial flame now rouse
 “ you; awake now in earnest. We that were stran-
 “ gers have enjoyed the sovereign power here. Con-
 “ sider who you are, and not of whom you was
 “ born. If you are at a loss how to act by reason
 “ of this sudden accident, follow my advice.” The
 palace of king Tarquin being very near the temple
 of Jupiter Stator^a, when the noise and pressure of
 the people became intolerable, Tanaquil addressed
 them from one of the windows which opened to the
 new way, “ Bidding them be of good courage, for
 “ the king was not dead, but stunned by the sudden
 “ blow he had received. The hatchet had not pe-
 “ netrated far into his body, and he was already
 “ come to himself. Now that the wound was search-
 “ ed, and the blood washed away, all symptoms
 “ appeared favourable, and she hoped they would
 “ see him very soon. In the mean time he order-
 “ ed them to obey Servius Tullius, who would ad-
 “ minister justice to them, and perform every other
 “ part of the regal office.” In consequence of this
 declaration, Servius went abroad attended by the
 lictors, clothed in royal robes^b, and sitting on the
 throne, finally determined some causes, pretending
 to reserve others till he should have an opportunity
 to consult the king about them. Thus Tarquin’s
 death being concealed for some days, Servius, under
 pretext of supplying his place, found means of
 strengthening his own interest. And when it was
 thought proper to suppress it no longer, and the la-
 mentations began in the palace, he got a strong guard

Servius ad-
 vanced to
 the throne.
 Y. of R. 176.
 B. J. C. 576.

^a It is thought it stood in the cir-
 cus Flaminius near the temples of
 Mars, Vulcan, and Bellona.

^b According to Dion. Hal. and o-
 ther ancient authors, the *trabea* was
 very like the *toga*, with this diffe-
 rence, that it was adorned with stripes

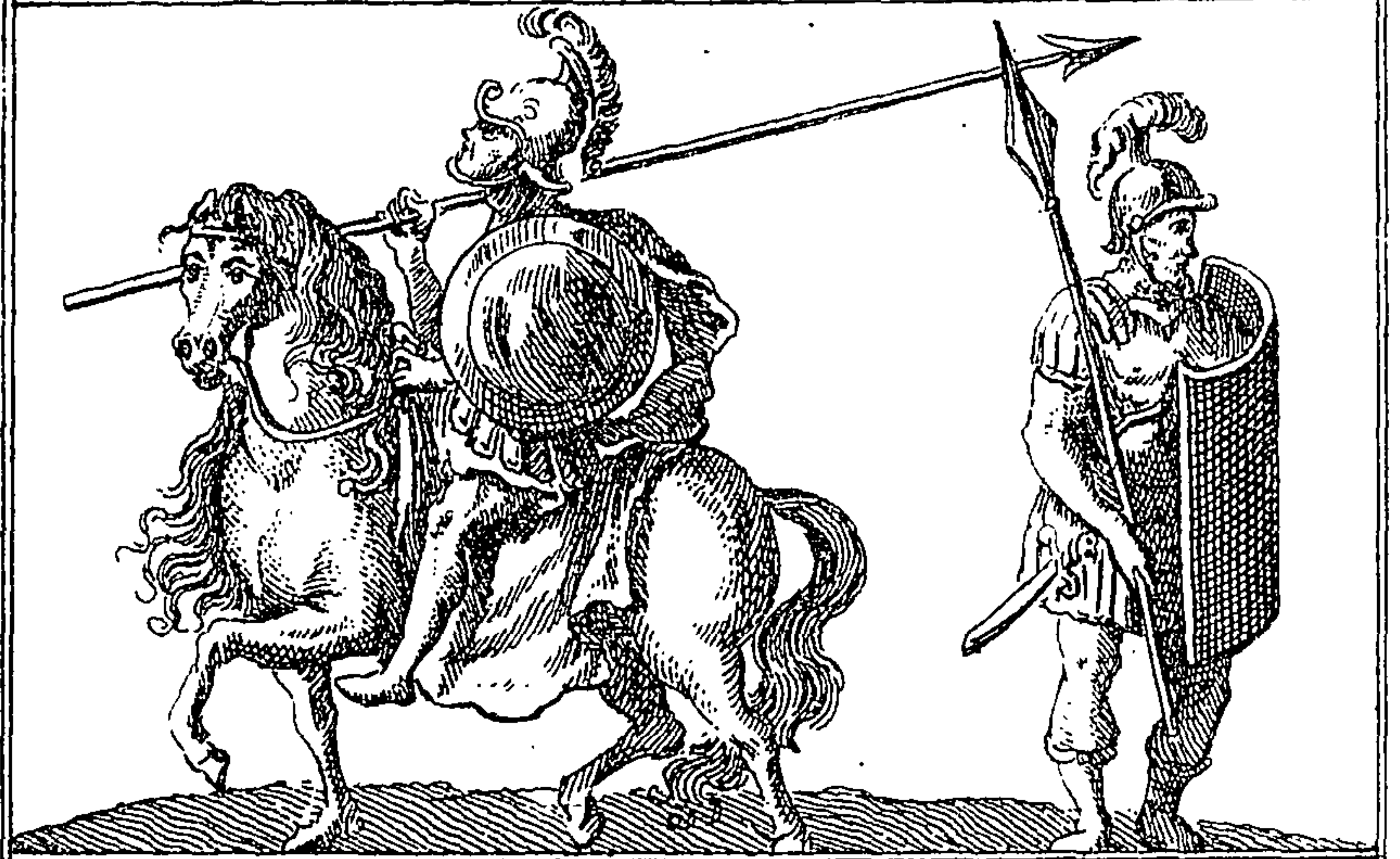
of purple, at due distances, on a
 white ground. This was the ordinary
 habit of the kings of Rome. And
 the chief magistrates of the republic,
 and the Roman knights appeared in
 it on certain festival days.

CHAP. about him, and was the first who was advanced to
 XLI. the throne by the senators, without the consent of
 the people. The sons of Ancus, hearing that the
 assassines, whom they had employed, were seized,
 that the king was still alive, and Servius's party so
 very considerable, went into voluntary banishment to
 Sueffa Pometia^c.

CHAP. NOR did Servius only strengthen his interest by
 XLII. the management of public affairs, but also by his pri-
 vate conduct; and lest the sons of Tarquin should
 be enflamed with the same resentment against him
 which the sons of Ancus had entertained against Tar-
 quin, he gave his two daughters in marriage to the
 two young princes Lucius and Aruns Tarquins: yet
 human prudence could not prevent the unalterable
 decrees of fate, nor screen him from the envy at-
 tending a crown, which raised against him the black-
 est treasons and the bitterest enemies within his own
 house. Very seasonably for his present quiet, the
 truce with the Veientes being expired, war was de-
 clared against them and the other nations of Hetruria.
 In this war the bravery as well as good fortune of
 Tullius appeared to great advantage; for having
 routed the enemies numerous army he returned to
 Rome, established in his kingdom by the affections
 both of the senate and people. Thereafter he enter-
 ed upon a work of peace, of all others the most im-
 portant; that as Numa had been the founder of re-
 ligious institutions, posterity might have reason to
 celebrate Servius as author of the several orders and
 ranks in the state, whereby the different degrees of
 dignity and fortune are distinguished from one ano-
 ther. For he appointed the Census^a, an institution of
 the greatest service to an empire, which was like to
 grow to such a pitch of grandeur, because by means
 of it, the charges of peace and war were not borne
 equally by every particular person, as in former times,

^c Now called Cisterna-Pontina.

^a From *censere*, to *rate* or *value*.



but levied according to the value of their estates. By this Census, he divided the people into classes and centuries, a regulation very proper both for peace and war.

OF those who had an estate of a hundred thousand asses^a or more, he made eighty centuries, forty of aged citizens and forty of young men. All these were called the first class, and were appointed, the aged to guard the city, and the young to fight abroad. The arms assigned them were a Helmet^b, a round shield^c, greaves^d, and a coat of mail^e, all of brass, for the defence of their body, and a spear^f and a sword^g to annoy the enemy. To this class were added two centuries of mechanics, who were to serve without arms, and to be employed in carrying the military engines. The second class comprehended all whose estate was from seventy five^h to an hundred thousand asses, and made up of old and young citizens twenty centuries. To them was assigned an oblong shieldⁱ instead of a round one. And, except

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^a 322 l. 18 s. 4 d. Arbuthnot.

^b The galea was a head-piece, or morion, coming down to the shoulders, commonly of brass.

^c This kind of shield was less than the scutum, and quite round. It belonged more properly to other nations, though for some little time it was used by the Romans.

^d They were worn on the legs, and seem to have been borrowed, as many other customs, from the Grecians, so well known by the title of *ἐχμυρίδες Ἀχαιοί*, well booted Greeks.

^e This coat of mail, or brigandine, was generally made of leather, and worked over with little hooks of iron; and sometimes adorned with small scales of thin gold. Sometimes the *loricæ* were a sort of linen cassocks, such as Suetonius attributes to Galba, like that of Alexander and Plutarch, or those of the Spanish troops, described by Polybius, in his account of the battle of Cannæ.

^f It was a light kind of javelin.

^g The Roman soldiers commonly wore their swords on the right side,

that it might not hinder their shields; though they are often represented otherwise in ancient monuments. They thought Spanish swords fittest for execution, and of the best shape and temper, they being something like the Turkish scymitars, but more sharp at the point.

^h 242 l. 3 s. 9 d. Arbuthnot.

ⁱ The scutum was a buckler of wood, the parts whereof were little plates of iron, and the whole covered with a bull's hide. It was surrounded with a plate of iron on the outside to keep off blows, and with another within, to hinder it from taking any damage by lying on the ground. In the middle was an iron boss, or *umbo*, jutting out, very serviceable to glance off stones and darts, and sometimes to press violently on the enemy, and drive all before them. The scuta themselves were of two kinds, the *ovata* and *imbricata*. The former of a plain oval figure; the other of an oblong, and bending inward like half a cylinder. Polybius makes the scuta four foot long, and Plutarch

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except a coat of mail, their other arms were the same with those of the first class. He appointed the third class to consist of those whose estate amounted to fifty thousand asses^k, and they were divided into as many centuries, and distinguished with respect to their age in the same manner as the former, nor was there any difference in their arms, but that this class had no greaves. The fourth class, consisting of those whose estates extended to twenty five thousand asses^l, was divided into as many centuries, but their arms were different, this class being only allowed a spear and a long javelin^m. In the fifth class, the number of centuries were encreased to thirty, armed with slings and stones. Among them were reckoned the accensiⁿ, the blowers on the horn, and the pipers, divided into three centuries. This whole class consisted of those whose estate amounted to eleven thousand asses^o. The sixth comprehended all the poorer citizens, whose estates were below this sum, and of them one century was made up which was exempted from serving in war. Having thus divided and armed the infantry, he levied twelve centuries of knights from among the chief men of the state, and to the three centuries, appointed by Romulus, he added other six under the same names, which they received at their first institution. Ten thousand asses^p were given them out of the public revenue, for the buying of horses, and widows were assigned them, who paid two thousand asses^q yearly for their subsistence.

Plutarch calls them *modique*, reaching down to the feet. And it is very probable, that they covered almost the whole body, since our author, book 44, mentions soldiers, who stood on guard, sometimes sleeping with their heads laid on their shield, with the other end fixed on the earth.

^k 161l. 9s. 2d. Arbuthnot.

^l 80l. 14s. 7d. Id.

^m The *verutum*, according to Polybius, was a sort of javelin three cubits long. It was square, and pretty much like a spit. Its name is derived from *veru*, a spit.

ⁿ It is uncertain who were com-

prehended under that name, and what their office was. According to Sextus Pompeius, they were men who were always ready to supply the vacant places in any of the centuries, and were a sort of recruits, consisting of such persons as were ambitious of being incorporated into one or other of the classes. But according to Varro, the word *accensi* signifies men chosen out to be aid-de-camps to the generals and tribuns, to carry their orders to inferior officers.

^o 35l. 10s. 5d. Arbuthnot.

^p 32l. 5s. 10d. Idem.

^q 6l. 9s. 2d. Idem.

All these burdens were, in a great measure, taken off the poor and laid on the rich. And that they might bear them the more patiently, an additional honor was conferred upon them; for they did not now vote by poll, according to the institution of Romulus, which his successors had observed; nor were their suffrages of equal weight, but a subordination was established, that none might seem to be excluded from the right of voting, and yet the whole power might reside in the chief men of the city. For the knights were first called, and then the centuries of the first class; and if they happened to differ, which was seldom the case, those of the second were called: And they seldom ever descended so low, as to the last class. Nor need we be surprized, that the present regulation, since the tribes were increased to thirty five, should not agree with the number of centuries of young and aged citizens instituted by Servius Tullius, they being now double of what they were at that time. For having divided the city into four parts, according to the regions and hills which were then inhabited, he called these divisions tribes, in my opinion, from the tribute which they paid. For he likewise appointed the method of levying taxes, according to the value of estates; nor had these tribes any relation to the number and division of the centuries.

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HAVING completed the census, which the dread of the law, that was made against those who neglected to enrol themselves in the cenfor's books, had forwarded, he published a proclamation, commanding all the citizens of Rome, both horse and foot, under the pain of imprisonment and death, to present themselves in the Campus Martius by break of day, ranged according to their respective centuries, and there, after mustering his whole army, he purified them by a sacrifice of a sow, a sheep, and a bull, and this was called closing the lustrum^a, because then

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^a *A luendo*, from *paying*, *expiating*, *Lua*, so named from the verb *luo*, to *clearing*, or perhaps from the Goddess whom Servius is said to have built a temple.

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then the census was completed. In that survey, eighty thousand Roman citizens are said to have been enrolled. Fabius Pictor, the oldest historian extant, adds, that this was the number of those who were fit to bear arms. To accommodate this great number of people, it was thought necessary to enlarge the city, and for that purpose he first added the Quirinal^b, and Viminal^c hills, and some time after the Esquiline^d, where he dwelt himself to give reputation to the place. He fortified the city with a rampart, a moat and a wall quite round it, and by this means enlarged the Pomœrium^e. They who regard

temple. She was invoked in all expiations, and when people made up their accounts, and paid their debts.

Because of the continual change of men's estates, it was ordered that the census should be renewed every five years, and as it was usually closed by the lustrum, hence this word came to signify that term of years.

^b Collis Quirinalis was so called either from the temple of Quirinus, another name of Romulus; or more probably from the Curetes, a people that remov'd hither with Tatius from Cures, a Sabine city. It afterwards chang'd it's name to Caballus, Mons Caballi, and Caballinus, from the two marble-horses, with each a man holding him, which are set up here. They are still standing; and if the inscription on the pilasters be true, were the work of Phidias and Praxiteles; made by those famous masters to represent Alexander the Great, and his Bucephalus, and sent to Nero for a present by Tiridates king of Armenia. This hill was added to the city by Numa. To the east, it has Mons Esquilinus, and Mons Viminalis; to the south, the forum of Cæsar and Nerva; to the west, the level part of the city; to the north, Collis Hortulorum, and the Campus Martius. In compass almost three miles.

^c Mons Viminalis derives it's name from the oſiers that grew there in great plenty. This hill was taken in by Servius Tullius. To the east, it has the Campus Esquinalis; and to the south, part of the Suburra and the Forum; to the west, Mons Quirinalis; to the north, the Vallis Qui-

rinalis. In compass two miles and a half.

^d Mons Esquilinus was anciently call'd Cispius, and Oppius: the name of Esquilinus was varied, for the easier pronounciation, from Exquilinus, a corruption of *Excubinus*, *ab Excubiis*, from the watch that Romulus kept here. It was taken in by Servius Tullius, who had here his royal seat. Varro will have the Esquilie to be properly two mountains; which opinion has been since approv'd of by a curious observer. To the east, it has the city-walls; to the south, the Via Labicana; to the west, the valley lying between Mons Cælius and Mons Palatinus; to the north, Collis Viminalis. In compass about four miles.

^e Though the phrase of *Pomœrium proferre* be commonly us'd in authors, to signify the enlarging of the city; yet 'tis certain the city might be enlarg'd without that ceremony. For Tacitus and Gellius declare no person to have had a right of extending the Pomœrium, but such a one as had taken away some part of an enemy's country in war; whereas it's manifest, that several great men, who never obtain'd that honour, increas'd the buildings with considerable additions.

'Tis remarkable, that the same ceremony with which the foundations of their cities were at first laid, they us'd too in destroying and razing places taken from the enemy; which we find was begun by the chief commander's turning up some of the walls with a plough.

only

only the composition of the word, will have the Pomœrium to be a space of ground without the walls, but it is rather a space on each side the wall, which the Hetrurians at building of cities consecrated by augury, reaching to a certain extent both within and without the wall they intended to raise; so that the houses might not be joined to it on the inside, as they commonly are now, and also that there might be some space without left untilld. This space which, it was not lawful to till or inhabit, not for it's being without the wall, more than for the wall's being without it, the Romans called the Pomœrium: And in enlarging the city, as far as the walls were moved farther toward the fields, so far this consecrated ground was likewise extended.

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THE state being improved, the city enlarged, and every thing in it modelled in the best manner for the purposes of peace and war, that force of arms might not be the only means of acquiring farther degrees of strength, he endeavoured by policy to extend his empire, and at the same time procure respect to the city. The temple of Diana at Ephesus^a was at that time in high esteem, and was said to have been built at the common charge of all the states of Asia. Servius took occasion to commend exceedingly the agreement of these nations in joint worship of the same Gods, before the Latin nobility, with whom both in public and private he cultivated a strict friendship and intimacy. By often insisting on the same subject, he at last wrought upon them so far, that the Latines joined with the Romans in building a temple to Diana at Rome. This was plainly acknowledging that city to be their capital, which was a point they had frequently disputed with their swords. But though the Latines appeared now to have lost

CHAP.
XLV.

^a A city of Ionia, formerly the most famous mart of the Lesser Asia. Justin says, b. 2. that it was built by the Amazons. It was particularly famous for the temple of Diana, whom

they had in the highest esteem, as appears from the xix. chap. of the Acts of the Apostles. It is now called Figena or Efeso.

CHAP.

XLV.

all concern, for a matter about which they had so often unsuccessfully employed their arms, fortune seemed to present one of the Sabines with an opportunity of recovering the superiority to his country, by his own address. This man is said to have had a cow calved among his cattle, of surprizing size and beauty. Her horns, which were hung up in the porch of the temple of Diana, remained, for many ages, a proof of her enormous bulk. The thing was justly looked upon as a prodigy, and the sooth-sayers had foretold, that whoever should sacrifice this cow to Diana, should thereby ascertain the empire to his native city. This prediction had also reached the ears of the high priest of Diana. The Sabine, when he thought the proper time for offering the sacrifice was come, drove the cow to Rome, led her to the temple of that Goddess, and set her before the altar. The Roman priest struck with the uncommon size of the victim so much celebrated by fame, thus accosted the Sabine, “What intendest thou to do, “stranger,” says he? “wouldst thou with impure “hands offer a sacrifice to Diana? Why dost not “thou first wash thyself in running water? The “Tiber runs in the bottom of the valley.” The stranger being seized with a scruple of conscience, and desirous of having every thing done in due form, that the event might answer the prediction, immediately went down into the river. In the mean time the priest sacrificed the cow to Diana, which gave great satisfaction to the king, and to the whole state.

CHAP.

XLVI.

THOUGH Servius had now been established in the kingdom, by long possession, yet as he heard that expressions sometimes dropt from young Tarquin, importing, “That he had seized the crown “without the consent of the people,” having first secured their good will, by dividing among them the lands taken from their enemies, he had the courage to submit his title to the kingdom to the judgment and decision of the people, and was declared king



with such unanimity, as had not been observed in the election of any of his predecessors in the throne. But this was so far from discouraging Tarquin from aspiring to the kingdom, that it only confirmed him the more in his hopes of attaining it ; for besides the impetuosity of his own temper, and the impressions which the daily sollicitations of his wife Tullia made upon him, he knew that the division of the lands among the people was contrary to the inclination of the senators ; and therefore thought it would furnish him with a proper handle for accusing Servius to them, as it would at the same time give him an opportunity of raising his own reputation in the senate. In consequence of this a tragical and inhuman act of cruelty was committed in the court of Rome, that the people being disgusted with kings, might the sooner enjoy the sweets of liberty, and he might be the last king who should by unnatural crimes pave his way to the throne. Whether this Lucius Tarquin was the grandson of Tarquinius Priscus, is not very certain ; yet I am apt to believe, with the greatest number of authors, that he was his son. His brother Aruns Tarquin was a youth of a gentle disposition, and the two Tullias, the daughters of king Servius, who were likewise of very different tempers, had been married to these two brothers as has been already observed. It had happened, that the two violent tempers were not matched together, and in my opinion it was chiefly owing to the good fortune of the Roman people, that Servius might reign the longer, and have a sufficient space of time to form the morals of the state. Haughty Tullia was extremely vexed that she found in her husband neither the principles of courage nor ambition, and therefore having her thoughts entirely taken up with the other Tarquin, she used to express her admiration of him, by saying that he was a brave man, and truly born of royal blood, despising at the same time her sister as one, who, though matched with a man of spirit, had not the resolution of a woman.


CHAP. XLVI. As the wicked are commonly most suited to one another, so a similitude of manners soon produced an intimacy between them ; but this aspiring woman was the source of all the confusion that followed. She had been used for a long time to have secret conferences with her brother-in-law, and therein threw out the bitterest reproaches against her husband to his brother, and against her sister to her husband, affirming, “ That it were much better for
 “ her to be a widow and him unmarried, than to be
 “ unequally matched, and under the necessity of
 “ living in obscurity by the mean-spiritedness of
 “ others. If the Gods had given her the husband
 “ she deserved, she would soon have seen the sove-
 “ reign power established in her own family, which
 “ she now saw in the hands of her father.” By such discourses she soon inspired the young man with all the heat and violence of her own temper. And the death of Aruns Tarquin, and of the younger Tullia, which happened within a few days of one another, having left them at liberty to contract a new alliance, a match was soon made up between them, rather without opposition from Servius, than with his consent.


CHAP. XLVII. FROM this time Servius's old age became every day more uneasy, and his reign more grievous to him. For Tullia immediately after the commission of one crime, began to contrive another, and suffered her husband to rest neither day nor night, lest through his inactivity the unnatural murders they had already committed should lose their effect. She told him, “ That she wanted not a man merely to be
 “ called her husband, nor one to live with her in
 “ obscure bondage, but one who should think him-
 “ self worthy of a crown, remember that he was
 “ the son of Tarquinius Priscus, and chuse rather
 “ to have, than hope for a kingdom. If you are
 “ the man whom I thought I married, I must call
 “ you both husband and king ; but if not, I have
 “ changed

“ changed for the worse ; because now I have to do
 “ not only with a coward but also a murderer.
 “ Why do you not rouse yourself ? You have
 “ no need, as your father did, to travel from
 “ Corinth ^a or Tarquinii in quest of a foreign king-
 “ dom. Your household Gods, the Gods of your
 “ country, your father’s statue, the palace where
 “ you dwell, the regal throne in that palace, and
 “ the surname of Tarquin create and call you king.
 “ But if you have not courage to improve those ad-
 “ vantages, why do you disappoint the expectations
 “ of the city, or suffer yourself to be looked upon
 “ as a king’s son. Get you hence to Tarquinii or
 “ Corinth, and seeing you resemble your brother
 “ more than your father, sink into the former ob-
 “ scurity of your family.” By such reproaches she
 enflamed the prince’s mind, nor could she be at rest
 herself : she could not bear that Tanaquil, who was
 a stranger, should have the address to dispose of the
 kingdom twice successively, first to her husband, and
 afterward to her son-in-law ; and that she, who was
 the daughter of a king, should have no weight in
 giving or taking away the crown. Tarquin incited
 by this furious woman went about among the Sena-
 tores Minorum Gentium, making his court to them.
 He put them in mind of the favors they had received
 from his father, and demanded suitable returns. The
 young men he engaged to his interest by large pre-
 sents, promising mighty matters from his own ad-
 ministration, and in all places vented the most bitter

^a A famous and rich city of Achaia, situated in the middle of the isthmus of the Peloponnesus, now the Morea. As it stood between the Ionian and Ægean seas, it was called *Bimaris Corinthus*. It’s prodigious wealth made it to be suspected by the Romans, who sent ambassadors thither, whom the Corinthians insulted in a most shameful manner. On this the Romans sent L. Mummius with an army against it, who burnt and razed it, in the year of the world 3840, and of Rome 608. In the burning

of it, so many rich and costly statues, of sundry sorts of metal, were melted, that thereof was afterwards found a kind of precious metal, called Corinthian brass, more esteemed than silver among the Romans. Julius Cæsar afterwards rebuilt it, and called it by it’s former name. It was once famous for the profession of Christianity, as appears from St. Paul’s Epistles. It fell into the hands of the Turks, under Mahomet the second, in the year of Christ 1458, and is now called Coranto, but by them Gereme.

CHAP. XLVII.  invectives against the king. At last, when he thought he had found a proper opportunity for executing his design, he got a band of armed men about him, and forced his way into the forum, and whilst all present were struck with sudden terror, placed himself on the royal throne in the senate-house, and ordered the public crier to summon the senators to attend king Tarquin. Some were beforehand prepared for this event, others, astonished at the surprizing revolution, gave Servius up for lost, and feared that their absence might be made a crime, so that they all, from different motives, immediately repaired to the house. Then Tarquin beginning his invectives against Servius with the obscurity of his family, told them, “ That
 “ after the barbarous murder of his father, though
 “ he was a slave and the son of a slave, he had possessed himself of the kingdom, not after an interregnum, according to ancient custom, not after holding the comitia, nor by the votes of the people, or confirmation of the senate, but merely by the intrigues of a woman. That thus born and thus created king, he had always favored the meanest wretches, like himself, and out of hatred to others on account of their noble birth, had taken lands from the nobility, and distributed them to the most abject of the people. All the burdens which were formerly born in common, he had laid on the principal citizens, and had instituted the census, that the fortunes of the rich being visible might expose them to envy, and that he might have them ready, when he pleased, to bestow upon beggars.”

CHAP. XLVIII.  SERVIUS, alarmed by the accounts of what passed, which were brought him in great haste, came in, while his rival was speaking, and immediately called to him with a loud voice from the porch of the senate-house, “ What’s the matter, Tarquin?
 “ How durst you be so audacious as to convene the
 “ senators, or sit on my throne whilst I am alive?”
 As

As the other haughtily replied, “ That he had taken possession of his father’s throne : That it was much more proper his son should inherit his kingdom than his slave, who had already too long licentiously insulted his masters,” the partizans on both sides raised a shout, the people crowded into the senate-house, and it appeared, that whoever should get the better in this struggle would be king. As Tarquin was now under a necessity of coming to extremities, and had much the advantage in youth and strength, he seized Servius by the waist, carried him out of the senate-house, threw him from the top to the bottom of the stairs, and then returned thither to call the senators together. The king’s officers and attendants fled. He himself quite faint was returning home, with a few guards, half dead with fear ; but when he had got to the top of the Cyprian street^a, he was overtaken and slain by those whom Tarquin had sent in pursuit of him. As this was not inconsistent with Tullia’s other crimes, it was believed to have been done by her advice ; but it is very certain, that she drove in her chariot to the forum, and without regarding the number of men that were there, called her husband out of the senate-house, and was the first who saluted him king. And when, upon his ordering her to retire out of so great a crowd, she was returning home, and had reached the upper end of the Cyprian street, where a temple of Diana lately stood, as the coachman was turning the chariot to the right hand towards the Virbian ascent, which was his way to the Esquiline hill, he stopt short in a great fright, checked his horses, and shewed his lady Servius lying murdered in the street. Upon this a shocking and inhuman action is reported to have ensued, and as a monument of it the name *Vicus Sceleratus*^b was given to this place, in which Tullia, hurried on in a distracted manner by the furies of her sister and former husband, is said to have

^a According to Varro, the word *Cyprius* signified in the old Sabine language, good or happy.

^b *The cursed street.*

CHAP. driven her chariot over the dead body of her father,
XLVIII. and being herself stained and bespattered by the
 bloody chariot, carried home part of her father's
 blood to her own tutelary Gods, and those of her husband ; that by their just indignation, their reign might soon have an end suited to it's wicked beginning. Servius Tullius reigned forty-four years in such manner, that his successor, had he been a good and reasonable prince, would have found it a difficult matter to equal him. And this likewise gives an additional lustre to his reign, that all just and lawful exercise of regal power fell with him. Some authors assert, that he intended to have resigned his government, however mild and gentle, because it was entirely lodged in the hands of a single person, had he not been cut off by the unnatural cruelty of his own family, while his thoughts were employed about the means of making his country entirely free.

CHAP. AT this period begun the reign of Tarquin, whose
XLIX. actions procured him the surname of the Proud, for
 he would not suffer his father-in-law to be buried,
 alledging, for an excuse, that even Romulus died
 without that honor. He put to death the principal
 senators, because he suspected them to have been in
 the interest of Servius ; and as he was conscious of
 the wicked means he had used to raise himself to the
 throne, that the precedent he had set might not be
 improved against himself, kept a strong guard of
 armed men always about his person. Nor indeed
 had he any better title to the crown than force and
 violence could give him ; for he was neither advanced to it by the suffrages of the people, nor confirmed in it by the senators. Besides, as he had not hopes of gaining the affections of the citizens, he had no means of securing his kingdom but motives of fear ; and that these might have the more general influence, he reserved to himself alone, without the advice or assistance of any assessors, the cognizance of all capital crimes ; that so he might have it
 in

Tarquin
king.

Year of R.
219.

in his power to put to death, banish and confiscate the goods, not only of those whom he hated or suspected, but also where he had no prospect but of enriching himself with the spoils of the sufferers. Having chiefly, by these means, very much lessened the number of the senators, he resolved to chuse none in their room, that the order might fall into contempt by the smallness of their number, and have the less resentment of their being rendered useless. For he was the first who broke through the custom observed by preceding kings, of consulting the senate in all matters, and managed all the affairs of state according to his own arbitrary pleasure, making peace and war as he thought proper, entering into treaties and alliances with whatever states he had a mind, without consulting the senate or people, and breaking them without their advice. He was at very great pains to secure to himself the friendship of the Latine state, that by means of this foreign alliance his safety among his own subjects might be less precarious; nor did he only cultivate friendship with their nobility, but also entered into family alliances with them. He gave his daughter in marriage to Mamilius Tusculanus, who was by far the most considerable man of the Latine name; and if we will believe the story, descended of Ulysses and the Goddess Circe, by which means he secured to himself the interest of the numerous relations and friends of that Latine prince.

CHAP.
XLIX.

TARQUIN, having now considerable weight among the Latine chiefs, appointed them to meet him on a certain day at the grove of Ferentinum^a, pretending that he wanted to treat with them about some matters relating to their common safety. Great numbers of them came to the place by break of day,

CHAP.
L.

^a It was in Latium, near Monte Albano, in the same place where Marino now stands, a little town in the Ecclesiastical State. The ruins of several ancient monuments testify it's former grandeur. At this place, after the demolition of Alba, the La-

tines held their general diets, when they were to deliberate on the interests of their nation. Here stood a temple of Flora, in a grove. It was watered by a rivulet, which gave Ferentinum the name of *caput aque Ferentine*.

but

CHAP.

L.

but Tarquin himself, though he kept the day appointed, yet came not to the meeting till a little before sun-set. During the whole day many different subjects passed in conversation at the assembly, and Turnus Herdonius, a native of Aricia^b, had bitterly inveighed against Tarquin for his absence, saying, “It was no wonder he had the surname of Proud given him at Rome:” for he was commonly called by this name, though secretly and by whispers. “Can there be a greater instance of pride, than thus to trifle with the Latine nation; to summon a number of princes to come hither from distant places, and not attend the meeting, which he himself had appointed? It was plain he tried their patience, that if they should once submit to the yoke, he might oppress them, when they had put it out of their power to help themselves. For who could miss to observe, that he aspired to a despotic power over the Latines? which, if his own subjects had wisely entrusted to him, or if it was true that they had trusted him with it, and he had not seized it by the unnatural murder of his nearest relations, the Latines might repose the same confidence in him; though even upon that supposition, being a distinct people, they were under no obligation to do it. But if he gave his own countrymen reason to repent of what they had done for him, by putting them to death, sending them into banishment and stripping them of their estates, what ground had the Latines to expect better usage? If they would be persuaded by him, they should return to their own houses and take no more notice of the assembly designed to be held that day, than he who had made the appointment.” As Turnus, a seditious and enterprizing man, who had by such arts amassed great wealth in his own

^b This town lay ten miles from Rome, and received this name from Aricia wife of Hippolytus, son of Theseus and Hippolyte, queen of the Amazons, who, to shun his father's

indignation, raised against him by his stepmother Phædra, because he would not lye with her, came and settled in Italy, and built this city, which is now called Rizzo or Riccia.

country, was throwing out these and the like invectives with great warmth, Tarquin came in and put an end to his speech. They all turned to pay their compliments to him, and when silence was made, being put in mind by those who were next him to make an excuse for his coming so late, he said, "That a difference between a father and his son had been submitted to his arbitration, and that his concern for bringing about a reconciliation between them had detained him so long. And as that affair had taken up that day, he would lay before them to-morrow the reason of his calling them together." Turnus, it is said, did not suffer even this to pass without censure; alledging, that no difference was sooner composed, than that between a father and son, and that very few words were requisite in such a case. If he would not submit to his father, some dreadful calamity would befall him.

THE Arician having thus inveighed against the Roman king, left the meeting; Tarquin, resenting his invectives more than he seemed to do, immediately contrived the ruin of Turnus, that he might impress the Latines with the same terrors by which he over-awed the minds of his own subjects; and because he had no authority to put him to death openly, he cut off this innocent man by bringing a false accusation against him. His success in this was owing to some Aricians, engaged in a party opposite to that of Turnus, by whose means he bribed his slave to suffer a great number of swords to be secretly conveyed into his master's lodging. Tarquin, having completed the whole scheme in one night, sent for the Latine chiefs a little before day-break, and, as if alarmed with some extraordinary discovery, said, "That his absence yesterday had been ordered by the particular providence of the Gods for their safety as well as his own, because he was informed that Turnus had conspired his death, and that of the principal men of the Latines, that he alone might

CHAP.

LI.



“ might have the supreme power over the nation.
 “ That he intended to have executed his plot yester-
 “ day at the assembly, which he only delayed be-
 “ cause the person who appointed it, and whom he
 “ principally wanted to make sure of, was not pre-
 “ sent. This was the reason why he had so bitter-
 “ ly inveighed against him in his absence, that very
 “ absence having disappointed his hopes. If his in-
 “ formation was just, he did not doubt but at break
 “ of day, when the assembly met, he would come
 “ in arms with a band of conspirators. He was like-
 “ wise informed that a great number of swords had
 “ been secretly conveyed to him; and as it was easy
 “ to find out whether there was any ground for this
 “ report, he earnestly entreated them to go along
 “ with him to Turnus.” The ambition of Turnus,
 and his speech the day before, because it seemed to
 have occasioned his delaying the intended massacre,
 made the thing look suspicious. They went with
 some disposition to believe what Tarquin had said,
 yet had not the swords been found, they would
 have looked upon all the rest as a forgery. When
 they came to the place, having awaked Turnus, set
 a guard upon him and seized his slaves, who, out of
 affection to their master, began to make resistance;
 the swords, which were brought out of all parts of
 the house, where they had been hid, seemed to put
 the matter beyond all dispute. Turnus was put in
 chains, and immediately an assembly of the Latines
 called in great haste, where the swords, which were
 produced in court, so exasperated them against him,
 that without suffering him to make his defence, he
 was condemned to a new kind of death: For he was
 thrown in at the head of the spring of Ferentinum,
 and a hurdle being laid upon him, and stones heaped
 upon it, he was drowned.

CHAP.

LII.



THEN Tarquin having recalled the Latines to
 the assembly, after commending them for the just
 punishment they had inflicted upon Turnus, in conse-
 quence

quence of the clearest proofs of his having conspired an unnatural parricide, as a means to bring about a revolution in the state, spoke to this purpose, viz. “ That he
 “ could plead an ancient right, seeing the Latines came
 “ originally from Alba, and were comprehended in
 “ that treaty, whereby the whole Alban state, with
 “ it’s colonies, had submitted to the Roman govern-
 “ ment in the reign of Tullus. But he thought it
 “ would be more for the common interest of the
 “ parties concerned, to have that treaty renewed,
 “ and that the Latines should rather share the good
 “ fortune of the Romans, than always either be
 “ dreading or suffering the sacking of their towns,
 “ and ravaging of their lands, as they had experienced
 “ in the reign of Ancus, and in that of Tarquinius
 “ Priscus his own father.” The Latines were easily
 persuaded, though the Romans were evidently the
 greatest gainers by that treaty; for besides that they
 saw the Latine chiefs sided with the king, and were
 disposed to comply with his proposals, Turnus was a
 recent instance of the danger, every man would ex-
 pose himself to, who should dare to oppose him.
 Thus the treaty was renewed, and a proclamation
 issued out, commanding the Latine youth to rendez-
 vous on a certain day at the grove of Ferentinum.
 When those of all the different nations were come
 to the place appointed, according to Tarquin’s pro-
 clamations, that they might not have a leader of their
 own, a separate command, or ensigns peculiar to
 themselves, he blended the Romans and Latines to-
 gether in every company^a, making one of two, and
 two of one^b. Having thus doubled the number of
 com-

^a A company consisted originally of an hundred, afterwards of two hundred, and in the decline of the empire of less than an hundred men. The ensigns of Romulus’s men, when he attacked Amulius, are said to have been bundles of hay fastened to poles, which the Latines at that time called *manipuli*, and thence came the name of *manipulares*, which was originally given

to troops raised in the country.

^b In the earliest times of Rome none but Romans could be incorporated in the legions. But Tarquin was too odious to his subjects to observe that ancient custom. He did not raise his army upon the footing of Servius’s division of the Roman soldiery by centuries; nor were the allies any longer a separate corps. For

companies, he appointed centurions ^c to command them.

CHAP.

LIII.



NOR was Tarquin, though a tyrannical prince in time of peace, a despicable general in war; nay he would have been thought equal to his predecessors in that art, had not his degeneracy in other respects likewise obscured this bright part of his character. He begun the war against the Volsci, which lasted two hundred years after his time, and took from them Sueffa Pomitia by storm, the plunder whereof he sold for four hundred talents^a of gold and silver. Upon this he formed a design of building the temple of Jupiter, with such magnificence as should be worthy of the king of Gods and men, the Roman empire, and the majesty of the place where it was to be erected, and set apart the money he had got for the spoils of the Volsci to defray the expence of it. After this he was engaged in a war, which lasted longer than he expected; for having attempted to take Gabii^b, a city in his neighbourhood, and being repulsed with such loss, as left him no hopes of taking it by siege, he at last endeavoured to reduce it by fraud and stratagem, arts till then unknown to the Romans. For while he pretended to have laid aside all thoughts of war, and to be entirely employed in

at this general rendezvous he incorporated the Latines and Romans in the same centuries, which were thereby composed half of one nation and half of the other, and appointed such centurions over them as he thought proper. This was a master-piece of policy, and contributed more to the conquest of the world, than all the rest of Italy; for it was afterwards the best part of the Roman strength.

^c So called from *centum*, because he had the command of an hundred, or rather an hundred and ten men, the ten *decurios* included, each of which commanded ten men. The number of centurions in the Roman legion was always in proportion to the number of centuries of which it consisted.

The *centurio primæ pilis* was a man of authority and distinction among them: He was always at the head of the first cohort, and commanded four centuries. The other centurions received their orders from him.

^a Pighius, in order to reconcile the difference between Dionys. Hal. and our author, changed the text of Livy, from *quadráginta* talenta to *quadringenta*. Forty talents, reckoning according to Arbuthnot, amount to 7750l. sterling, and four hundred amount to 77500l.

^b A town of Latium, belonging to the Volsci, about an hundred furlongs from Rome, in the way to Præneste, in the place where the town of Colonna afterwards stood.

laying

laying the foundation of the temple of Jupiter^c, and other public works in the city, Sextus, the youngest of his three sons, according to concert, fled to Gabii, complaining of the inhuman cruelty of his father, and pretending, “ That he had turned his tyranny
 “ from others against his own family, and was un-
 “ easy that his children were so numerous, intend-
 “ ing to make the same havock in his own house
 “ which he had made in the senate, that so he
 “ might leave behind him no issue, nor heir to his
 “ kingdom. That for his own part, as he had
 “ escaped from amidst the swords of his father, and
 “ other instruments of death, he was persuaded he
 “ could find no safety but among the enemies of L.
 “ Tarquin. And that they might not be deceived,
 “ the war against them, which seemed to be at an
 “ end, was only suspended till their security should
 “ present him with a fit opportunity of attacking
 “ them anew. If they would not regard the re-

^c The capitol, or temple of Jupiter Capitolinus was vowed by Tarquin the elder in the Sabine war as we have seen chap. 38. But he had scarce laid the foundations of it before his death. Tarquin the Proud finished it with the spoils taken from Sueſſa Pometia, and the neighbouring nations. After his banishment, it was consecrated by Horatius the consul. See b. 2. c. 8. It is said to have been called the capitol from a man's head, which the workmen found in digging the foundation; and as the diviners declared that it preſaged Rome would become the mistress of the world, the king spared no cost in raising a structure to the honor of those Gods who were the authors of so glorious a destiny. It stood on a hill first called Saturnius, and afterwards Tarpeius. The temple was almost square, being about two hundred and fifteen foot long, and about two hundred foot broad. Its front was to the south, facing mount Palatine and the Roman forum. The ascent to it was by an hundred steps, which were divided at certain distances, by large half-paces or resting-

places, to give those who went up to it time to breathe. The front was adorned with three rows of pillars and the two sides of the temple was adorned with a *peristyle*, consisting of a double row of pillars. The prodigious gifts and ornaments with which it was afterwards adorned are almost incredible. It was first consumed by fire in the civil war between *Marius* and *Sylla*, the latter of whom rebuilt it, but dying before the dedication, left that honor to Q. Catullus. It was burnt down a second time in the Vitellian sedition. Vespasian undertook a third temple, which was destroyed about the time of his death. Domitian's son built the last, which was by far the most magnificent of all; the gilding of which, within and without, Plutarch says, amounted to twelve thousand talents, or three hundred and twenty-five thousand pounds sterling. It contained three chapels; one dedicated to Jupiter, another to Juno, and the third to Minerva, or was rather three temples under the same roof. There only remains enough of it at present to make a christian church.

CHAP.

LIII.



“ monst’rances of the miserable, he would wander
 “ over all Latium, and if he could find no shelter
 “ there, he would have recourse to the Volsci,
 “ Æqui, and Hernici^d, one after another, till he
 “ should find a people who knew how to protect
 “ children from the cruel and unnatural persecu-
 “ tions of their parents. That perhaps he would find
 “ some of these people disposed to take up arms and
 “ wage war against this proud king and his haughty
 “ subjects.” As the Gabini saw that he was like to
 depart full of resentment, if they shewed no re-
 gard to his complaints, they entertained him with
 great marks of favor, and told him, “ That he
 “ ought not to be surprized if his father at last
 “ treated his children in the same inhuman and op-
 “ pressive manner, as he had done his subjects and
 “ allies; for if all other objects should fail, he
 “ would, in the end, wreak his cruelty upon him-
 “ self. That his application to them for protection
 “ gave them great pleasure, and they doubted not
 “ of being able in a short time, by his assistance, to
 “ carry the war from the gates of Gabii to the very
 “ walls of Rome.”

CHAP.

LIV.



UPON this they admitted him into the public
 council of state, where, though with regard to other
 matters, he professed to submit to the judgment of
 the old inhabitants, who understood them better,
 yet he took frequent opportunities to advise them to
 renew the war, in relation to which he pretended to
 a superior knowledge, because he was well acquaint-
 ed with the strength of both nations, and knew, for
 a certain truth, that the pride of the Roman king,
 which made him intolerable even to his children,
 exposed him also to the hatred and aversion of his
 subjects. As he thus by degrees stirred up the nobles
 of the Gabini to renew the war, he went himself
 with the most active of their youth to plunder the

^d They inhabited a part of the present Campagna di Roma.

Roman lands, and to make inroads into their territories; and by all his words and actions, exquisitely framed to promote the cheat, so far gained the confidence of that misguided people, that at last he was chosen general to prosecute the war. After his advancement, the people being still ignorant of the springs of his actions, he had several skirmishes with the Romans, wherein the Gabini generally came off with the advantage; upon which all of them from the highest to the lowest were firmly persuaded that the Gods, as a particular instance of their favor, had sent them Tarquin to be their general. His readiness in exposing himself to the fatigues and dangers of war, and his generosity in dividing the plunder, so recommended him to the affection of the soldiers, that Tarquin the father had not greater power at Rome, than the son had at Gabii. When he thought he had got strength sufficient to support him in any undertaking, he sent one of his confidants to Rome to ask his father what he should do, seeing the Gods had granted him the sole management of all affairs at Gabii. The king gave no answer by word of mouth to this courier, because, in my opinion, he suspected his fidelity; but going into a garden adjoining to the palace, as it were to consider of the matter, followed by his son's messenger, he is said to have walked there for some time in silence, and to have struck off the heads of the tallest poppies with his staff. The messenger, wearied with demanding and waiting for an answer, returned to Gabii as if he had lost his labour, and told what he had said himself, and what he had observed, adding, "That Tarquin either through passion, aversion to him, or his innate pride, had not spoke a word." As soon as Sextus understood, by these dark hints, the inclination and orders of his father, he put to death the most eminent men of the city, accusing some of them to the people, and others exposing themselves to his revenge by envying his greatness. Many were executed publickly, and some, against

CHAP. LIV. whom no specious pretext of accusation could be found, were secretly assassinated. Some were allowed to escape, and others banished, and their estates, as well as the estates of those who were put to death, distributed among the people. The sweets of corruption, plunder, and private advantage, resulting from these distributions, extinguished in them the sense of the public calamities, 'till the state of Gabii, destitute of counsel and assistance, was delivered into the hands of the king of the Romans without the least resistance.

CHAP. LV. TARQUIN thus put in possession of Gabii, made peace with the Æqui, and renewed the treaty with the Hetrurians. Then he turned his thoughts to the business of the city. The chief whereof was that of building the temple of Jupiter on the Tarpeian mount, which he intended to leave as a monument of his name and reign; since posterity would remember that of the two kings of the Tarquin family, the father had vowed, and the son had finished that stately fabric. And that the area, excluding all other forms of worship, might be entirely appropriated to Jupiter, and his temple, which was to be erected upon it, he resolved to unhallow several small temples and chapels, which had been vowed by Tatius, in the heat of the battle he had fought with Romulus, and which he afterwards consecrated and dedicated. In the very beginning of this work it is said, that the Gods exerted their divinity to presage the future greatness of this empire; for though the birds declared for the unhallowing of all the other temples, they did not admit of it with respect to that of Terminus. From this omen and augury it was concluded, that Terminus's not changing his residence, and being the only one of the Gods who was not called out of the places devoted to their worship, thereby presaged the duration and stability of their empire. As this was looked upon to be an omen of the perpetuity of the empire, there followed

ed another portending it's greatness. As the workmen were digging the foundation of the temple, it is reported, that the head of a man, with the face entire, appeared to them. This sight clearly presaged that this temple should be the head of the empire, and mistress of the world. And both the Roman soothsayers, and those of Hetruria, who were sent for to be consulted upon it, were of this opinion. This encouraged the king to spare no expence: so that the spoils of Pometia, which had been computed to be sufficient to complete the work, scarce defrayed the expences of laying the foundation. I am more inclined to believe Fabius Pictor, as being the more ancient historian, that the plunder of this city amounted only to four hundred talents, than Piso, who says, that forty thousand pound weight of silver was set apart for that purpose, a greater sum than could be expected to arise from the pillage of any one city at that time in the world, and more than sufficient for laying the foundation of any fabric, even of these magnificent works.

TARQUIN intent upon finishing this temple, having sent for workmen from all parts of Hetruria, expended on it not only the public money, but made the people do the drudgery. Though this was no small additional hardship to their military service, yet they did not so much resent their being obliged to build the temples of the Gods with their own hands, as that they were afterwards employed in more laborious and less honorable works, such as making galleries in the circus, and digging under ground a very large common-sewer to carry off the filth of the city, two works so great, that even the magnificence of the present age hath not been able to equal them. While the people were engaged in these public works, because he thought greater numbers of inhabitants than could be employed, were rather a burden than an advantage to the city; and also because he had a mind that the frontier places of his dominions

CHAP. should be better inhabited, he sent colonies^a to Seg-
 LVI. nia^b and Circæum^c, to serve as a defence to the city
 in after-times both by sea and land. While he was
 thus employed a frightful prodigy was seen. A ser-
 pent came out of a wooden pillar, which, after spread-
 ing terror through the palace, and making all who
 saw it run away, did not strike the king with such a
 sudden dread, as it filled his breast with perplexing
 thoughts. And therefore, though the Etrurian di-
 viners were only consulted about prodigies which
 concerned the public, yet being exceedingly alarmed
 at this sight, as it seemed to respect his own family,
 he resolved to send to the oracle at Delphi^d, which
 was the most famous in the world. And not daring
 to trust the response to any other, he sent two of
 his sons into Greece through tracts of land then un-
 known, and still more unknown seas. Titus and
 Aruns were the two who went. They were attend-
 ed by L. Junius Brutus the son of Tarquinia sister to

^a The reasons, which determined the Romans to send out colonies, and the privileges which they enjoyed, were these. They never sent out their citizens to found colonies, but either to enlarge their limits, or to awe some nations that were yet unsubdued, or to disburthen their city of too great a number of inhabitants, or to get rid of a multitude inclined to be seditious, or to reward the veteran soldiers of the Roman legions, who had served out their legal time, that after spending the vigor of their life in the service of their country, they might be rewarded with large possessions, and thereby be enabled to pass the remainder of their life in ease and plenty. To those who were sent from Rome, a certain quantity of land was always assigned, according to their number, in the place where they were to settle, which was to be their own property. They generally transplanted none, but such as had neither land nor houses either in the city or country. They marched to their new habitation in order of battle, where they either built themselves a city, or took possession of one already built for them. Here they

lived according to the Roman laws, and though mingled with the natives who had been left in the conquered place, had all the power and authority in their hands. But immediately upon their being sent out, they lost their right of voting in the comitia. Nor could they be candidates for any office at Rome, unless they were again made citizens.

^b A city in Latium. Here there was made a rough kind of wine, which Pliny, Strabo, &c. say was prescribed as an excellent remedy in all kinds of fevers.

^c A promontory on the shore of the *Tyrrhene* sea; now *Monte Circello*, where the famous Circe is said to have had her palace.

^d A city of Phocis in Greece situate on the hill Parnassus, famous for the oracle of *Apollo*, which the Greeks, and even the most distant nations consulted on all important occasions. Our author, b. 38. calls it the navel of the world. This, they say, was found out by Jupiter's sending out two eagles, to fly the one from the east, and the other from the west, who met at this place. It is now called *Delfo*, *Sabona* and *Castri*.

the



the king, a youth of a turn of mind quite different from that under which he thought fit to disguise himself. Brutus hearing that the chief men of the city, and among others his own brother, had been put to death by his uncle, resolved to retain nothing of his fortune that might be a temptation to the king's covetous temper, nor the appearance of any abilities of mind which could alarm his fears, and thus to seek security in contempt, where integrity and justice could afford him no protection. Therefore designedly counterfeiting the carriage and actions of a fool, he suffered himself and his whole estate to become a prey to the king, and did not refuse to take even the surname of Brutus, that his great capacity, which was to deliver the Roman people, lying for some time concealed under this title of reproach, might wait for a proper season to discover itself. When the sons of Tarquin carried him with them to Delphi, rather to make them sport than as a companion, it is said he took with him, as a present to Apollo, a rod of gold inclosed in a staff of cornel-wood hollowed for the purpose, which was at the same time a true emblem of his own genius. After the young princes had arrived there, and executed their father's orders, their curiosity prompted them to enquire of the oracle which of them should succeed him in the kingdom. Upon which it was reported, that this answer was returned from the bottom of the cave, "Whoever of you, O young men, shall first give a kiss to his mother, shall have the sovereignty of Rome." The sons of Tarquin, that their brother Sextus, who was left at home, and knew nothing of this response, might have no share in the kingdom, commanded that all possible care should be taken to conceal it, and cast lots to determine which of them two, when they returned to Rome, should first kiss his mother Tullia. But Brutus, imagining that the oracle had another meaning, pretended to fall down by chance, and kissed the earth, because she is the common mother of all mankind. After this they all returned

to Rome, where they found great preparations making for a war against the Rutuli.

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LVII.

THIS people, who were very wealthy, considering the country and age they lived in, were at that time in possession of Ardea. Their riches gave occasion to the war: for the king of the Romans, having exhausted his treasure by the magnificence of his public works, was contriving means to enrich himself, and by a large booty to sooth the minds of his subjects, who, besides the provocation they had received by other instances of his tyranny, resented their being so long kept employed in servile labor, and doing the drudgery of mechanics. He had first attempted to take Ardea by storm, but that not succeeding, he began to distress the enemy by blockading the place, and raising works against it. As it commonly happens in standing camps, where the war is rather tedious than violent, they obtained furloughs without any difficulty, though this was a favor more readily granted to officers than common soldiers. The young princes sometimes spent their leisure hours in feasting and entertaining one another. One day as they were drinking in the tent of Sextus Tarquin, where Collatinus Tarquinius the son of Egerius had been invited to supper, the conversation happened to turn on the merit of wives. Every one commended his own in an extravagant manner, till a dispute arising about it, Collatinus said, “ There was no
 “ occasion for words, because they might in a few
 “ hours satisfy themselves, how far his Lucretia ex-
 “ celled all the rest. If then, added he, we have any
 “ share of the vigor of youth, let us mount our horses
 “ and examine the conduct of our wives: and let
 “ every one form his judgment from what he shall ob-
 “ serve about them, when they have no expectation
 “ of a visit from their husbands.” As their blood was heated with wine, they immediately galloped to Rome, where they arrived in the dusk of the evening. From thence they went to Collatia, and found Lu-
 cretia

cretia sitting in the middle part of the house, not like the king's daughters-in-law, who spent their time in extravagance and feasting with ladies of their own rank; but, though the night was far spent, amidst her maids, and with them diligently employed in working wooll by candle light. Upon this the controversy concerning the ladies was determined in favor of Lucretia, who at their coming received them with great civility; and her husband, fond of his victory, invited the young princes to a friendly repast. There Sextus Tarquinius first conceived his villainous design of ravishing Lucretia. Both her beauty and celebrated chastity incited him. However, for this time, leaving their youthful frolic in which they had spent a great part of the night, they all returned to the camp.


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A few days after, without acquainting Collatinus, Sextus came to Collatia attended by one slave only. As his designs were unknown, he was received with great marks of friendship, and after supper conducted to his apartment. There his passion rose to such a height, that when he found every thing quiet about him, and thought the whole family at rest, he came to Lucretia as she lay fast asleep with his sword drawn, and laying his left-hand on her breast, said, "Be silent, Lucretia, I am Sextus Tarquinius. I have a sword in my hand; you shall die if you speak a word." As she waked in a great fright, seeing death impending, and no help near, he declared his passion, and begged her to yield to his desires, mixing entreaties with his threats, and using all sorts of arguments to shake her resolution. Finding her inflexible, and that even the fears of death could have no influence upon her, he farther threatned her with infamy; for he would kill a slave and lay him by her when she was dead, that it might be said she was slain in infamous adultery. The dread of this disgrace as effectually overcame her obstinate virtue, as if lust had prompted her to yield, and Tarquin left the

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LVIII.


CHAP. the place, proud of his conquest of the lady's honor.
 LVIII.  Lucretia, distressed with the thoughts of so insupportable a misfortune, dispatched the same messenger to her father at Rome, and to her husband at Ardea, desiring they would come to her and bring each a faithful friend with him; that this must be done with all expedition, because a shocking affair had happened. Spurius Lucretius brought with him Publius Valerius the son of Volesus; and Collatinus brought Lucius Junius Brutus, in company with whom he happened to be returning, when he met with his wife's messenger. They found Lucretia sitting quite disconsolate in her chamber. Upon the arrival of her relations, tears streamed from her eyes; and when her husband asked, "Whether all was well?" "by no means, said she, for what can be well with a woman who has lost her honor? Another, Collatinus, hath defiled your bed. But after all, though my body is polluted, my soul is innocent. Of this my death shall attest the truth. But give me your right-hands and solemn promise, that the adulterer shall not go unpunished. Sextus Tarquinius is the person I mean, who, coming hither last night with the air of a friend, but the heart of an enemy, by force and arms hath extorted a short-lived pleasure, fatal to me, and to himself too if ye are men of resolution and spirit." All of them gave her their promise, one after another, and endeavoured to comfort her disconsolate mind by acquitting her of the guilt because she had been forced, and laying the whole blame upon the author and contriver of the crime. They added, that the soul not the body could sin, and there could be no guilt where there was no consent. "I leave you," said she, to consider what reward is due to him; for my own part, though I do not charge myself with the crime, yet I do not exempt myself from the punishment; nor shall any woman hereafter survive her honor, and plead the example of Lucretia." With that she plunged into her heart a knife

knife which she had kept concealed under her clothes, and stooping forwards fell down in the agonies of death. The husband and father cried out.

WHILE they were employed in lamenting her fate, Brutus pulling the knife out of the wound, and holding it up before him as the blood dropt from it, said, “ I swear by this blood, which was most pure, before it was polluted by royal villainy, and I call you, O Gods, to witness my oath, that I shall pursue Lucius Tarquin the Proud, his wicked wife, and all their race, with fire, sword, and all other means in my power; nor shall I ever suffer them or any other to reign at Rome.” Then he gave the knife to Collatinus, and after him to Lucretius and Valerius, who were surprized at the extraordinary wisdom they observed in Brutus. However they all took the oath as they were bid, and converting their sorrow into rage committed themselves to the conduct of Brutus, who from that time ceased not to solicit them to join in abolishing the regal power. They carried Lucretia’s body from her own house, and exposed it in the forum; and having, by the extraordinary and moving nature of the spectacle, brought great numbers together, as usually happens in such cases, every one from his own experience made bitter complaints of the tyranny and oppression of the royal family. But what principally moved the people was, the father’s tears on the one hand, and on the other the conduct of Brutus, who, blaming their vain lamentations and fruitless complaints, advised them, as became men and Romans, to take up arms against those who had dared to treat them in such an hostile manner. The most resolute of the youth, voluntarily putting themselves in arms, came and offered their service. The rest soon after followed their example. Upon this, leaving a sufficient guard at the gates of Collatia, and setting sentries, that none might escape or get out to acquaint the king or his party with this insurrection, they marched in arms to Rome under

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LIX.

CHAP. LIX.  der the conduct of Brutus. When they arrived there, this armed body spread terror and confusion wherever it went; but when the people considered that the chief men in the state were at the head of it, they thought that whatever the matter might be, it could be no rash or unadvised attempt. Nor indeed did this barbarous action occasion less commotion at Rome than it had done at Collatia. The people from all corners of the city ran into the forum, and as soon as they were convened there, the public crier summoned them to attend the tribune of the celeres, with which honorable office Brutus happened to be at that time vested. There he harangued the assembly in a manner quite different from that degree of understanding and turn of mind he had till then counterfeited. In his speech he expatiated upon “the violence and brutal passion of Sextus Tarquinius; the infamous rape and deplorable death of Lucretia; upon Tricipitinus’s loss of his daughter, especially as the occasion of her death more grievously afflicted and distressed him, than her death itself. Then he took notice of the king’s haughtiness, the miseries and servile labors of the people, oppressed with digging ditches, and drawing common-sewers; and that the Romans, who had conquered all the nations round about them, instead of cultivating the arts of war, were now become masons and common mechanics.” He likewise mentioned “the barbarous murder of Servius Tullius, and the daughter’s driving, in an inhuman manner, her chariot over the dead body of her father, and then invoked the Gods, whose province it is to avenge the injuries done to parents by their unnatural children.” By a lively representation of these greivances, and, I believe, of others yet more shocking, suggested by the calamity of these times, which it is not easy for a modern historian either to come to the knowledge of, or relate to others, he prevailed on the enraged multitude to depose their king from the exercise

cise of his authority, and to pass an act of banishment against Lucius Tarquin, his wife and family. And as Tarquin had formerly made Lucretius prefect^a of the city, Brutus left the government of it in his hands, and having levied and armed a body of young men, who cheerfully listed themselves, marched himself at their head to the camp at Ardea, to persuade the army to rise against the king. During this uproar Tullia fled out of the palace, both sexes wherever she went loading her with curses and imprecations, and calling upon the furies of her parents to pursue her.

WHEN accounts of these transactions were brought to the camp, and the king, alarmed at this sudden revolution, was going to Rome to quell the commotions there, Brutus, who had intelligence of his coming, turned out of the way, that he might not meet him, and much about the same time Brutus and Tarquin arrived by different routs, the one at Ardea, and the other at Rome. Tarquin found the gates shut, and an act of banishment passed against him; but the deliverer of the state was received into the camp with great demonstrations of joy, and the king's sons expelled. Two of them followed their father, and went into banishment to Cære, a city of Hetruria. Sextus Tarquinius, having gone to Gabii, which he considered as his own kingdom, fell a sacrifice to the old feuds, which he had raised against himself by the rapines and murders he committed in that city. Lucius Tarquin the Proud reigned twenty five years, and the whole duration of the regal government, from the building of the city to this period of it's deliverance, was two hundred and forty

^a The prefect of the city, before the end of the consular state, was only created occasionally, when the kings or greater officers were absent, to administer justice in their room. But Augustus made this a constant office, and conferred it first upon his favorite

Mæcenæ. In this capacity he preceded all other city magistrates, having power to receive appeals from inferior courts, and to decide in all causes within the limits of the city, or an hundred miles round.

CHAP. four years. Immediately after this expulsion of the
 LX. king's two consuls^a, viz. Lucius Junius Brutus and
 Lucius Tarquinius Collatinus, were elected by the
 prefect of the city at the comitia by centuries, accord-
 ing to the regulations of Servius Tullius.

^a There are several derivations of the word: Pomponius the Civilian contends, that it comes from *consulere*, signifying, *to watch for the public good*. Varro and Cicero derive it from the same word *consulere*, but in a different signification, namely, *to consult*, or *ask counsel*, because the intent of those who first instituted the consuls, was, that they should do nothing but with the *advice* or *counsel* of the senate and the people. Their power was at first the same with that of kings, only restrained by a plurality of persons and shortness of time; and hence Tully calls it *regnum imperium* and *regia potestas*. The law which placed *consuls* at the head of the republic, calls them also *prætors* and judges. Cicero quotes it in his third book of Laws. When it was made in the comitia, which changed the monarchy into a republic, it is said to have run thus: *Reges imperio duo sunt, iique præeundo, judicando, & consulendo, prætores, judices, consules, appellantur. Militiæ summum jus habento. Nemini parento. Ollis salus populi suprema lex esto. Let them be two persons vested with regal power, who from going before, judging and consulting, are called prætors, judges, and consuls. Let them have the supreme command in war. Let them be subject to no person. Let the safety of the people be to them the supreme law*. In war they commanded in chief over citizens and allies, and their power was very extensive in peace. They had the government of the senate itself, which they assembled or dismissed at their pleasure. And though their authority was very much diminished, first by the tribunes of the people, and afterwards by the emperors, yet they were still employed in consulting the senate, admi-

nistring justice, managing public games, and they had the honor to have the year called by their names: At first none but patricians were capable of being elected into this office, but the commons, as we shall afterwards see, obtained the privilege of having one of their own body an associate in it, and were sometime so powerful, as to have both consuls chose out of their order. No person was allowed to sue for this office, unless he was present at the election, and in a private station, and the common age required in the candidates was forty two years. But sometimes the people dispensed with this law, and the emperors seldom regarded it. The time of their government before Julius Cæsar was always a complete year, but he introduced a custom of substituting consuls at any time for a month or less as he pleased. Yet the consuls who were admitted the first of January, denominated the year, and were called *ordinarii*, and the others were stiled *suffecti*. They were only denied the common use of the sceptre, crown, and an habit of distinction. But our author, b. 30. assures us, that the consuls, on the days of their triumphs, in the public sports, and at solemn sacrifices, wore the crown of gold, the ivory staff, or sceptre, and the habit striped with purple, as the kings did. They were guarded by the twelve lictors alternatively, each in his mouth, and Brutus was first attended with the fasces before his colleague Collatinus, according to our author, b. 2. ch. 1. The consul who was the oldest, or had most children, or most suffrages for the consulship, had the precedence and the lictors for the first month.

End of the FIRST BOOK.

T H E
ROMAN HISTORY,

BY

TITUS LIVIUS of *Padua*.

B O O K II.

Brutus binds the people by oath, never to suffer any king to reign at Rome; obliges Tarquinius Collatinus his colleague, who was suspected on account of his relation to the Tarquins, to resign the consulship, and leave the state; commands the effects of the royal family to be plundered; consecrates a field of theirs to Mars, which thence had the name of Campus Martius; beheads some young noblemen, and among the rest his own and his sister's sons, because they had conspired to receive the kings into the city; makes the slave free who discovered the plot: his name was Vindicius, and hence the word Vindicta was derived. Upon his leading an army against the kings who made war upon the Romans with the troops of the Veientes and Tarquinienses, which they had drawn together, he engages in single combat with Aruns the son of Tarquin the Proud, and expires at the same time with his adversary. The ladies mourn for him a whole year. P. Valerius makes a law allowing appeals to the people. The capitol dedicated. Porsena, king of Clusium, undertakes a war in favor of the Tarquins, advances to the Janiculum, and is prevented from crossing the Tiber by the bravery of Horatius Cocles. This hero alone bears the brunt of the Hetrurians, while others cut down the wooden bridge: when it was broke down, he throws himself with his arms into the river, and swims across it to his friends. Mucius gives likewise a signal instance of bravery; for he enters the enemy's camp with a design

to kill Porsena; kills his secretary, whom he mistook for the king, and is taken. After putting his hand upon the altar, where they had been offering sacrifice, suffers it to be broiled, and pretends, that three hundred others of equal resolution with himself had conspired the king's death. Porsena, struck with admiration of their bravery, is obliged to offer them terms of peace, and having received hostages, puts an end to the war. One of them Clælia a young lady deceives her keepers, swims across the Tiber to her friends, and when delivered up to Porsena, he sends her back with great marks of respect: at her return she is honored with an Equestrian statue. Ap. Claudius removes from the country of the Sabines to Rome: for this reason the Claudian tribe is added to the former number, which, by this means, are increased to twenty-one. A. Posthumius the dictator fights successfully at the lake Regillus against Tarquin the Proud, making war upon the Romans with an army of Latines. When the commons, upon account of their debts, withdraw to the Sacred mount, the mutineers are brought back by the persuasion of Menenius Agrippa. When the same Agrippa dies, he is, on account of his extreme poverty, buried at the public expence. Five tribunes of the people created. The city Corioli taken by the valour and activity of C. Marcius, and from that he is surnamed Coriolanus. Tib. Atinius a commoner, admonished in a vision to lay before the senate an account of some religious ceremonies, which had not been decently performed, upon his neglecting to do it, loses his son, and the use of his limbs: but being carried to the senate in a litter, discovers the matter to them, and hereupon recovers the use of his limbs and walks home again. C. M. Coriolanus, who had been banished, being made general of the Volsci, and advancing with their army to the neighbourhood of Rome, the deputies which were first sent to him, and afterward the priests, in vain dissuade him from making war upon his country; but his mother Veturia and his wife Volumnia prevail upon him to retire. The Agrarian law first made. Sp. Cassius, a man of consular dignity, condemned for aspiring to the sovereignty, and put to death. Oppia, a vestal virgin, buried alive for the crime of incontinence. Because the Veientes, who lived in the neighbourhood of Rome, were rather a troublesome than dangerous enemy, the Fabian family undertake to carry on that war at their own cost and hazard, and for that purpose send out three hundred and six men in arms, who were all cut off by the enemy at the river Cremera. There only remained one boy of the family, who was not fourteen years of age. Ap. Claudius the consul decimates his army because he had been unsuccessful in the war with the Veientes, by their refusing to obey orders. This book likewise contains an account of the wars with the Volsci, Æqui, and Veientes, and the contests of the fathers with the commons.

CHAP.

I.

Year of R.

245.

Before J. C.

507.

Lucius Junius Brutus, and Lucius Tarquinius Collatinus, consuls ^a.

AS the Romans are from this time to be considered as a free people, I shall proceed to give an account of their conduct in peace and war, their annual magistrates, and the empire of laws, superior to that of men. The insolent behaviour of the late king gave them a greater relish for liberty. For their former princes had ruled with so much moderation, that they may all justly be called founders of those parts of the city which each of them successively added, for the accommodation of the people, whose numbers were encreased by their care. Nor will it admit of a dispute, that the very same Brutus, who deserved immortal praises for expelling this haughty monarch, would have done the greatest injury to the public interest, if, through an unseasonable desire of liberty, he had wrested the kingdom from any of the preceding kings. For what would have been the consequence, if that multitude, made up of shepherds and strangers, fugitives from different countries, having, under the protection of an inviolable asylum, found liberty, or at least impunity, and without being overawed by the dread of regal authority, had begun to be distracted by the storms of tribunician rage? Had they begun to contend with the fathers in a strange city, before the pledges of wives and children, and love of the very soil, which is a work of many years, had united their affections? These civil broils would have entirely ruined their affairs, while they were in this infant state. But the mild exercise of government so cherished them, and, by proper nourishment, brought their strength to such perfection, as to be able to produce the wholesom fruits of liberty. But the reader may observe, that the rise of liberty was more owing to confining the consular government to one year's

^a According to Dionysius Halicarn. the first consulate 16 months, from June 244, to October 245 year of Rome, the time when the consulship began in those days.

CHAP. I. continuance, than to their wanting any of that power which the kings had enjoyed. The first consuls had all the privileges and ensigns of authority which had belonged to the kings; only it was provided “that both the consuls should not appear attended “with the fasces at the same time,” that the present government might not seem armed with twice the terror of the former. Brutus, as steady in maintaining the people’s liberty, as he had been active in recovering it, was, with the consent of his colleague, first attended by the fasces. And that the people might not be softened by the entreaties of Tarquin, or corrupted by his bribes, he obliged them, while fond of their liberty, newly recovered, to take an oath, “never to suffer any more kings “to reign at Rome.” And to give the greater weight to the senate, by augmenting that order, greatly diminished by Tarquin’s murders, he chose men of reputation and abilities out of the knights, and with them made up the number to three hundred. And hence it is said arose the custom of summoning to the senate, both the patres and the conscripti^b. Those who were chose into this new senate, they called conscripti, (i. e. because they were enrolled with them, or added to their list.) This contributed in a surprizing manner to establish the tranquillity of the state, and to unite the hearts of the fathers and people.

CHAP. II. THEN they applied themselves to the regulation of religious matters, and as some part of the

^b These conscript fathers were called the *novus senatus*, or *new senate*. And it appears from our author’s words, rightly understood, that the old senators only were called *patres*, and that the new ones were distinguished from them by the name of *conscripti*. Dion. Hal. gives the same name of *patres conscripti*, to the first senators, created by Romulus; but this form, *Qui patres, quique conscripti essent*, which was used when the senate was

called together, sufficiently shews his mistake: so that when we find in Latin authors, *patres conscripti*, used to express the senate in general, the words must be understood, as if they were joined by a conjunction, *patres & conscripti*. The fathers and those who have been added to them. Of this opinion is *Festus*, when he says, that those were called *conscripti*, who had passed from the order of Roman knights, into that of senators.



public worship had been performed by the kings in person, that they might not miss them in any respect, they elected one to discharge these duties, and gave him the title of *rex sacrorum*^a, i. e. king of sacred things. This office they made subject to the high-priest, that the honorable name might no infringement to their liberty, which was now their principal care. And I am not certain, but their zeal in securing it, even in things of the smallest moment, exceeded all bounds; for when there was nothing else to disquiet the people, they took umbrage at the very name of one of the consuls. “ They
 “ said, that the Tarquins had been too long accus-
 “ tomed to the sovereign power; Priscus had first
 “ usurped it; Servius Tullius had indeed succeeded
 “ him, but Tarquin the Proud, during all that reign,
 “ not forgetting his claim to the crown, though he
 “ saw another vested with it, had by cruelty and
 “ wicked practices, seized on it as the indefeasible right
 “ of his family. That since he was expelled, the su-
 “ preme power had been in the hands of Collatinus.
 “ The Tarquins were not capable of living in a private
 “ station. That for their part they abhorred the very
 “ name, as being dangerous to their liberty.” Dis-
 courses of this kind were first artfully whispered in all corners of the city, to found the inclinations of the people, and when their jealousy made them uneasy, Brutus summoned them all to an assembly. There he first read, with a loud voice, the oath which all the peo-

^a Our author justly founds this priestly dignity on the superstition of the people, who considered that their kings having often exercised the priestly office, the decency of the worship which they were obliged to pay to the Gods, required that the priest, who presided over the sacrifices, should have the name of king, though his authority was entirely confined to religious concerns, and subjected to the high priest. Dion. Hal. pretends that the Romans, in consideration of the advantages which had accrued to their city, from their kings, thought them-

selves obliged to preserve the name, in the person of a sacrificer. He was elected by the people assembled by centuries, and was consecrated by the augurs and pontifices. He enjoyed many privileges, but with this reserve, that he might neither canvass for nor exercise any office or magistracy. He was even forbid to be present in the comitia, and therefore after he had presided at the sacrifice which preceded the holding of it, he immediately retired. His wife was called queen, and bore a part with her husband in the priestly functions.

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II.

ple had taken, “ that they would suffer no person to reign in Rome ; nor any thing to remain there, that might endanger their liberty. They ought to maintain this oath with all their might, and despise nothing that could in the least tend to infringe it. That he spoke this with the greatest reluctance, upon Collatinus’s account, and would not have done it, if love to his country had not prevailed beyond all other considerations. That the people of Rome do not believe, that they have recovered their entire liberty : for as yet, not only some of the royal family, but those of the name, remain in the city, and are even possessed of the supreme power. This obstructs their liberty, and hinders them from enjoying it in it’s full extent.” Then, addressing himself to Tarquin, he said, “ Do you, O Tarquin, voluntarily remove their fears. We must confess, we remember it was you who expelled the kings. Make this glorious service done the public complete. Remove hence the regal name. Your fellow citizens, by my advice, will not only deliver you all your effects ; but, if you want any thing, generously supply you with it. Go hence in a friendly manner, and ease the public of that fear which is, perhaps, without any just foundation. They are convinced, that as soon as the family of the Tarquins shall be gone from hence, they shall be free from regal tyranny.” The consul was so shocked with this sudden and unexpected motion, that at first he could not open his mouth. When he began to speak in his own defence, the most considerable men in the city surrounded him, and with the most pressing entreaties, besought him to depart. But their arguments made little impression upon him, till Sp. Lucretius, a man of great worth, and advanced in years, and who was likewise his father-in-law, used various methods of persuasion with him ; sometimes intreating, and sometimes advising him, to suffer himself to be prevailed upon,

upon, by the united desires of his country. Upon this he began to reflect, that he might be forced to leave the city, after he was returned to the condition of a private person, and this besides might be attended with the loss of his estate, and some additional mark of disgrace; he therefore resigned the consulship, conveyed all his effects to Lavinium, and withdrew from Rome. Brutus, according to a decree of the senate, proposed to the people, that all the family of the Tarquins should be banished from Rome; and in an assembly by centuries he got P. Valerius, who had assisted him in expelling the kings, to be chosen his colleague.

P. Valerius
chosen con-
sul.

THOUGH no-body doubted that the Tarquins would have recourse to war, yet it broke out later than was universally expected; but they had like to have lost their liberty by treachery and fraud, practices which they had never suspected: for there were, among the Roman youth, some men of no mean families, who, during the late reign, had pursued their pleasures without any restraint; and as they were of the same age with and companions of the young Tarquins, had been accustomed to live with the licentiousness that is usual to princes. Though all citizens were now on a footing, they still longed for the same dissolute course of life, and for that reason complained to one another, that the liberty of others had involved them in slavery. Adding, “That a king is the only person who can gratify men’s desires, whether right or wrong. He only is able to confer favors, and to do acts of kindness. He can both testify his resentment and display his clemency, and knows how to distinguish a friend from a foe. The laws are always inexorable and deaf to all arguments, being better calculated for the advantage and convenience of the poor than of the rich. They grant no indulgence, and admit of no pardon to those who transgress them. Amidst the many failings to which human nature is

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III.



“ liable, it is a hard matter to have no other security to depend on, but an innocent life.” In the mean time, while their minds were fretted at their situation, deputies from the kings arrived unexpectedly at Rome, who, without mentioning their return, only demanded their effects. After the senate had admitted them to an audience, they debated for several days whether they should grant their demands, dreading a war if they refused, and apprehensive if they gave them up, that they would enable the kings to begin, and continue their hostilities. During this debate, the ambassadors formed other projects; for while they openly demanded their effects, they secretly plotted to recover the kingdom, and under pretence of soliciting the young noblemen for their interest in favor of the question depending before the senate, they sounded their inclinations. To those who readily listened to their proposals they delivered letters from the Tarquins, and conferred with them about admitting them into the city in the night.

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IV.



THIS conspiracy was first communicated to the Aquillii and Vitellii, of whom there were many brothers. Brutus had married a sister of the Vitellii, and by her had two sons, called Titus and Tiberius, who were taken by their uncles as associates in their design. Some other young noblemen were, likewise, concerned in the plot, but their names, by the injury of time, are lost. When it was voted by a majority of the senate, that the effects of the royal family should be restored, this furnished the ambassadors with a pretext of continuing at Rome, because the consuls had granted them leave to stay there till they could provide carriages for transporting them. All that time they employed in advising with the conspirators, and by their pressing instances prevailed on them to give them letters to the Tarquins; for, said they, “ How will our masters otherwise believe, that the accounts we shall give them, about a matter of the highest importance, are not fictitious ?”

“fictitious?” The letters, which they gave as a pledge of their fidelity, discovered the whole affair. For the day before the ambassadors set out on their journey home, they happened to sup with the Vitellii; and, as is usual in such cases, the conspirators conversed long together in private about the newly concerted plot. A slave, who had before that time perceived what they were about, over-heard their conversation, but waited till they should deliver their letters, by the seizing of which, the whole plot might be proved. As soon as he knew that they had delivered them, he informed the consuls of it, who went directly from their houses to apprehend the ambassadors and conspirators, and thereby crushed the whole design without any noise. They took particular care to secure the letters, lest they should have been lost. The traitors were immediately put in irons: for some time they were at a loss how to proceed with respect to the ambassadors; but notwithstanding they deserved to be treated as enemies, the regard to the law of nations prevailed.

THE restitution of the tyrants effects, which the senate had formerly voted, came again under consideration. The fathers, fired with indignation, expressly forbid them either to be restored or confiscated. They were given to be rifled by the people, that after having shared in the plunder, they might for the future lose all hopes of a reconciliation with the Tarquins. A field belonging to them, which lay between the city and the Tiber, was consecrated to Mars, and since that time hath been called the Campus Martius^a. It happened that there was a crop of corn upon it ready to be cut down; but as they thought it unlawful to use it, after it was reaped, a great number of men carried the corn and straw in baskets, and threw them

^a It was a plain encompassed with trees, and from this time made a common pasture, and the Roman youth made use of it as a convenient place for the exercises of wrestling and racing.

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 V. usual in the heat of summer, so that the heaps of
 corn sticking in the shallows were covered with mud: by these and other things which the river happened to bring thither, an island was formed by degrees, which, I suppose, with the addition of banks, and the assistance of art, was raised so high and made so firm, that temples and porticos were built upon it^b. After plundering the tyrants effects, the traitors were condemned and executed. Their punishment was the more remarkable, because the consulship of Brutus forced him to submit to the office of punishing his own children, and him who should have been removed from beholding such a mournful spectacle, fortune obliged to oversee the infliction of the punishment. Young men of the highest quality stood tied to a stake; but the consul's sons attracted the eyes of all the spectators from the rest of the criminals, as from persons unknown; nor did the people pity them more on account of the severity of the punishment, than the horrid crime by which they had deserved it. It gave them the greatest concern, "That they, in the very year of their deliverance from slavery, should have conspired to betray into the hands of Tarquin, formerly a proud tyrant, and now an hostile exile, their native country freed from his arbitrary rule, their father, it's deliverer, the consulate which took it's rise from the family of the Junii, the fathers, the people, and whatever belonged either to the Gods or the citizens of Rome." The consuls seated themselves in their tribunal, and the lictors were ordered to do their office, who stript them naked, whipt them with rods, and struck off their heads. All this time, the peoples eyes were fixed upon Brutus, narrowly observing his looks and the air of his countenance,

^b The island was joined to the city and to the hill Janiculus by two bridges, whence it had the name of *the island of the two bridges*. It was afterwards called *the sacred island*, when

the Romans built a great many temples on it to the honor of their Gods. They built in particular three, one to Jupiter, another to Æsculapius, and a third to Faunus,

which

which by it's remarkable steadiness discovered a superior zeal for his country all the while the punishment was inflicting. When the traitors were executed, that crimes of this nature might be discouraged by a signal instance of rewards as well as punishments, the slave, who discovered the plot, had a sum of money^c given him out of the public treasury, obtained his liberty, and the freedom of the city. This man, they say, was the first that was made free by the rod *Vindicta*^d: and as they suppose that his name was *Vindicius*, it is thought, the word *Vindicta* was derived from it. Since his time it has been customary, that those, made free in this manner, were at the same time supposed to be admitted to all the privileges of Roman citizens.

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V.

WHEN Tarquin got an exact account of those things, he was not only grieved at the disappointment of his mighty hopes, but upon seeing there was no room for stratagem, prompted by resentment and rage, he resolved to try open war. For that

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^c Our author, b. 9. dec. 1. observes, that the reward appointed by law, for the slaves who should discover conspiracies, amounted to 25000 asses of brass, about 8 l. 14 s. 7 d.

^d It is probable that the Latin phrase *vindicare in libertatem*, to set at liberty, had it's rise from the name of *Vindicius*, who was made free by the consul. But there are others who derive it from the word *vindicta*, which signifies a wand, with which the prætor, whose office it was afterwards to grant freedoms, struck the slave, whose master had a mind to set him at liberty. But it may be said that the wand took it's name from *Vindicius*. In the ceremony of granting freedoms publicly (for there were private ones which were granted either by will, or in the presence of witnesses) the master presented his slave to the prætor, first holding him by the hand, and afterwards quitting his hold. Whence came the Latin word *manumissio*. Then after he had given him a little blow on the cheek, he presented him to the consul, or to

the prætor, who striking him gently with his wand pronounced these words: *aio te liberum esse more Quiritium, I declare thee free according to the manner of the Romans*. The ceremony being ended, the slave was registred upon the roll of freedmen. Then he was shaved, and put on the cap *pileus*, which was worn by the Romans upon certain days. In order to make the taking possession of this kind of cap more solemn, it was performed in the temple of *Feronia*, the Goddess of freedmen. In one of these temples there was a stone seat, with this inscription on it: *bene merito servi se-deant, surgunt liberi, let well deserving slaves sit down here, and rise freedmen*. And it is well known that the *pileus* was, among the ancient Romans, the sign and symbol of liberty. At the death of *Nero*, the people appeared in the streets with this cap on their heads. On a medal of *Antonius*, we see liberty holding the *pileus* in her hand with this inscription, *LIBERTAS*, *Cof. iv.*

purpose

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purpose he went round the cities of Etruria in a suppliant manner, and with the most moving intreaties besought the people of Veii and Tarquinii, above all others, “Not to suffer him, who was come
 “ of their own blood, lately banished, and after
 “ living with the splendor of a mighty king, reduced to the greatest poverty, with his sons
 “ who were promising young men, to starve before their eyes. Others had been sent for from
 “ foreign countries to reign at Rome; but he their
 “ lawful king had been expelled his kingdom by a
 “ conspiracy of his nearest relations, while he was
 “ employed in enlarging the Roman empire by his
 “ arms abroad. That as no one man among them
 “ seemed worthy of the crown, they had divided
 “ the regal power; and to make all his subjects accomplices in so black a crime, they had given his
 “ effects to be plundered by the people. That as
 “ he resolved to recover his native country and kingdom, and to take vengeance on his ungrateful
 “ subjects, he begged them to aid and assist him,
 “ and at the same time to revenge the former injuries that had been done them, the many legions
 “ the Romans had slaughtered, and the loss of lands
 “ they had taken from them.” These arguments prevailed on the people of Veii, and they made their bravadoes, that now at least, under the conduct of a Roman general, they would wipe off their former disgrace, and recover what they had lost in war. His name and relation to them induced the people of Tarquinii to take part with him; for they deemed it an honor to have one of their nation king of Rome. Therefore the two armies of these states put themselves under the command of Tarquin in order to recover his kingdom, and to take vengeance upon the Romans. When they entered their territories, the consuls marched to meet them. Valerius led up the foot in a square battalion, and Brutus marched before with his horse to reconnoitre the enemy. Their cavalry likewise came up first, commanded by Aruns, Tarquin’s son; the
 king

king himself followed with the legions. Aruns knew at a distance by the lictors that it was one of the consuls; but when he came nigher and discovered for certain that it was Brutus by his face, all inflamed with rage, he cried out, "There is the villain who has banished us from our native country! see how gallantly he rides adorned with the ensigns of our dignity! now assist me, Gods, the avengers of injured kings." Having said this, he put spurs to his horse and drove against the consul with all his force. Brutus perceived he made at him, and as it was honorable in these days for the generals to engage in single combat at the head of their armies, he willingly met his enemy. They encountered one another with such fury, and each was so regardless of self-preservation, so he might wound his adversary, that at the first push they pierced each other's shields, run one another through the body, and fell from their horses, fastened together by their lances, in the agonies of death. The rest of the horse engaged at the same time, and soon after the foot came up. The bravery of both sides seemed equal, and the victory doubtful. The right of both armies was victorious, and the left defeated. The Veientes, accustomed to be discomfited by the Romans, were routed and put to flight. The Tarquinienses, who were a new enemy, not only stood their ground, but even obliged the Romans on their side to give way.

AFTER this smart engagement, so great a terror seized Tarquin and the Hetrurians, that both the armies, without attempting any thing farther, returned home. A strange story is reported concerning this battle, that the next night, when all things were quiet, a loud voice had been heard out of the wood Arfia^a, which was believed to be the voice of Sylvanus, who said, "That the Hetrurians

^a The field of battle was situated between the hill Janiculus, and the place now called *Borghetto*. It was bounded by this forest, consecrated to a hero, whose name was *Arfius*.

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VII.



“ had lost in the action one man more on their side, and that the Romans were conquerors.” It is certain, that the Romans left the field of battle like a victorious army, and the Hetrurians with all the signs of a defeat. For as soon as it was light, and the enemy gone out of sight, P. Valerius the consul gathering up the spoils, returned in triumph to Rome, and buried his colleague with all the pomp which the simplicity of the times would allow. But that which did greatest honor to him, after his death, was the public mourning which was made for him, in which the ladies particularly distinguished themselves; who out of respect to him, as the bold defender of the sex’s honor, mourned a whole^b year, as if they had lost a common parent. The surviving consul had been in great esteem with the people; yet, so fickle are their minds, that he not only incurred their hatred and suspicions, but was even charged with the most odious designs. A report was spread, that he aspired to the crown, because he had not chosen a colleague in room of Brutus, and had begun to build a house on the upper Velia^c, which from the height and strength of it’s situation they said would be an impregnable fortress. As these stories were buzzed about and gained credit, Valerius was grieved to the very soul at the unworthy opinion they entertained of him, and therefore he immediately called an assembly of the people, and ascending the tribunal, ordered the fasces to be lowered. It pleased the multitude extremely, to see the ensigns of authority lowered to them, which was plainly acknowledging, that the majesty and power of the people was greater than that of the consul. When they were called to silence, Valerius highly extolled the good fortune of his colleague, “ who after delivering his coun-

^b The year of mourning was but ten months, according to Numa’s prescription.

^c That is, upon that part of the Palatine hill, which is called *summa*, *upper*, to distinguish it from that part

called *ima*, *lower*. Varro derives this word *velia* from the Latin word *vel- lere*, because the shepherds used to lead their sheep to feed in that place, and there pluck off their wooll before shearing was invented.

try, had died vested with the supreme power, fighting bravely in defence of it's liberty, when his glory was at the very height, and before it was blasted by envy. As for himself he had survived the reputation he had acquired, was now exposed to envy and a shameful imputation, and from being esteemed the deliverer of his country, was looked upon to be as black a traitor as the Aquillii and the Vitellii. Shall no man's virtue, continued he, be so fully approved by you, as to be proof against all suspicions? Could I, who have shewn myself an implacable enemy to kings, have reason to fear, that I should be accused even of aiming at the sovereignty? What though I dwelt in the capitol or even in the citadel itself, could I believe that my fellow citizens would dread me? Does my reputation among you depend on such trifles? Is your confidence in me built on so weak a foundation, that you are more concerned about the situation of my house than the conduct of my life? Assure yourselves, Romans, the house of P. Valerius shall not obstruct your liberty, and you need fear no danger from Velia. I will not only remove my house into the plain, but likewise build it at the foot of the hill, that you may dwell above me a suspected citizen. Let those build their houses on Velia, to whom you can more safely trust your liberty, than to P. Valerius." Accordingly the materials were immediately carried down from Velia, and his house was built at the foot of the hill, where the temple of Victory now stands.

AFTER this the consul made laws which not only cleared him of all suspicions of aiming at the regal power, but had so great an effect the other way, that they made him popular, and for that reason he was surnamed Poplicola^a. The first law enacted, allowed

^a Every Roman had ordinarily three, and sometimes four names. The first was called *prænomen*; the second *nomen*; the third *cognomen*; and the fourth

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VIII.

Sp. Lucreti-
us chosen
consul.

M. Horatius
Pulvillus
consul.

lowed an appeal to the people from the judgment of the magistrates, and declared both the person and goods of him who should form any plot for usurping the sovereign power, execrable. As these laws were very agreeable to the people, after he had passed them alone, that he might have the sole merit of them, he assembled the comitia for electing a colleague. They chose Sp. Lucretius, who being old and his strength so much decayed, that he could not discharge the duties of his office, died in a few days, and was succeeded by M. Horatius Pulvillus. In some old historians, I don't find Lucretius named as consul, but Horatius is immediately mentioned after Brutus. I believe they omitted his name because nothing remarkable happened in his consulship. Jupiter's temple in the capitol was not yet dedicated; therefore the consuls cast lots who should perform that ceremony. The lot fell upon Horatius, and Poplicola marched against the Veientes. The friends of Valerius were more vexed than they ought, that the honor of dedicating so famous a temple should have fallen to Horatius. They therefore tried all means to prevent it, but when they found every thing ineffectual, in the very moment that he was holding the post of the temple, and addressing his prayers to the God, they brought him the melancholy news of his son's death, and that he could not dedicate the temple while his family was in mourning. Whether he did not believe it, or had so much resolution as not to regard the news, I find no sure account, nor is it easy to judge. However it made no impression upon him; only he ordered his son to be buried, and holding the post in his hand, finished the prayer, and dedicated the temple^b. These actions the Romans performed

fourth *agnomen*. The *nomen* shewed the family from which the person was descended. The *prænomen* and *cognomen* were often nick names, taken from the circumstances of the person's birth, or his defects or bodily qualities. The last names were to some

titles of honor, as those of Poplicola, Africanus, Germanicus, &c.

^b The honor of dedicating a temple was a mark of distinction which the great men of Rome earnestly solicited. This ceremony, in the earliest times of the republic, belonged

performed in peace and war the first year after the expulsion of their kings. Then was P. Valerius a second time, and T. Lucretius chosen consuls for the next year.

BY this time the Tarquins had fled to Lars^a Porsena king of Clusium^b. There mixing advice with their entreaties. “ They sometimes besought him, “ not to suffer them, who were descended from the “ Etrurians, and of the same blood and name, to “ live in perpetual exile and poverty: at other times “ they advised him not to let this practice of expelling kings, which was gaining ground, pass unpunished. Liberty, said they, has charms enough in itself: and unless kings defend their crowns with as much vigor as the people pursue their liberty, the highest must be reduced to a level with the lowest; there will be no distinction of ranks, nor subordination in society: and hence there must be an end of regal government, the most beautiful institution both among Gods and men.” Porsena thinking that it would be an honor to the Tuscans to establish a king at Rome, and especially one of their own nation, marched towards it with an hostile army. The senate was never before under so great a terror as on this occasion; the power of the state of Clusium was so mighty, and the re-

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IX.

Year of R.

245.

B. J. C.

506.

P. Valerius and T. Lucretius consuls.

to the consuls, who either cast lots for it, or were appointed thereto by the senate. Afterwards the people assembled by tribes named the consecrator. At length the senate recovered the right of nomination, and this even in the time of the Roman emperors. The dedication of a temple was a solemn festival accompanied with extraordinary rejoicings. The altars were then adorned with flowers and garlands. Sacrifices were offered up, and hymns sung to instruments of music. The magistrate, who presided at the ceremony, gave the college of the pontifices notice of the day of dedication. He summoned the pontifex maximus to appear at the temple, and pronounce the words of

consecration: after whom this magistrate repeated them word for word, with his hand upon the side-post of the door of the temple. He was obliged to be extremely exact in doing it. A syllable forgotten, or ill-pronounced, gave the people an alarm, and they thought it an unlucky omen to the consecrator. Therefore Metellus the pontifex maximus, who had an impediment in his speech, was several months learning to pronounce the word *opifera*. It was not lawful to appear at this solemnity in mourning, but only in white clothes.

^a Lars in the Etrurian language is said to signify Prince or Lord.

^b A city of Tuscany now called Chiusi.

now

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IX.



noun of Porfena so great. Nor did they only dread their enemies, but even their own citizens, lest the common people, through excess of fear, should receive the Tarquins into the city, and accept peace at the expence of their liberty. To prevent this, the senate at that critical juncture made many concessions to sooth their minds. Their first care was to lay in provisions, and persons were sent to the Volsci and to Cumæ^c to buy up corn. And because the tax on salt was farmed at a very high rate, the monopoly was taken out of the hands of private persons, and intrusted to agents who were to manage it for the public. The common people were freed from all imposts and taxes, which were laid upon the rich, who were able to bear them. “The poor, they
“said, paid tribute enough to the commonwealth,
“if they brought up their children.” This indulgence of the fathers cemented the affections of all the citizens so firmly, that afterwards, when they were distressed by the siege and famine, both high and low shewed the utmost abhorrence to the very name of king; nor was any man since that able to make himself so popular by indirect practices, as the whole body of the senate was at that time for their good government.

CHAP.

X.



WHEN the enemy approached, every body, in order to save themselves, fled out of the country into the city, which they secured with strong guards; so that by the walls on one side, and the Tiber on the other, it seemed sufficiently defended. But the enemy had like to have got into the city by the bridge Sublicius, if the valour of one man Horatius Cocles, had not that day saved Rome. This hero happened to be sentry on the bridge when he saw the fort Janiculum taken by surprize, and from it the

^c A city of Campania. It stood upon a hill whose foot was washed by the waves of the sea. The ruins of it bear the name of Cuma to this day. Four miles from it, near the

lake Avernus, now *Lago d'Averno* or *Lago di Tripergola*, there is a cave, which passes in the country for the Sybil's grotto, *Grotto della Sybilla*.

enemy



enemy running down from it at full speed, and observing the Romans through fear quitting their ranks and arms, he laid hold of them one by one and pulled them back, beseeching them most earnestly in the name of Gods and men to assist him. He declared, “ That their flight would avail them “ nothing, if they deserted their post ; if they left “ the bridge behind them free for the enemy to pass, “ there would soon be more of them in the Palatium “ and Capitol, than in the Janiculum : for that reason “ he advised and charged them to demolish the “ bridge, by cutting it down, setting fire to it, or “ by any means whatever. He assured them, on “ his own part, that he would stand the shock of “ the enemy, with all the resolution it was possible for one man to do.” Having said this, he advanced to the very entrance to the bridge, and being easily distinguished among those who turned their backs and fled, he faced about to engage the enemy hand to hand, and by his surprizing bravery terrified the Hetrurians. Two indeed through a sense of shame staid with him, Sp. Lartius and T. Herminius, men eminent for their birth, and renowned for their gallant exploits. By their assistance he for a short time stood the first shock of danger, and the severest brunt of the battle. But as they, who demolished the bridge, called upon them to retire, he obliged his companions to withdraw on a few planks that yet remained. Then casting his stern eyes round all the officers of the Hetrurians in a threatening manner, he sometimes challenged them to fight him one by one. sometimes reproached them all, “ calling them the “ slaves of haughty tyrants, who, regardless of their “ own freedom, came to oppress the liberty of others.” They were at first in suspense, and looked at one another to see who would begin the attack. At length their whole army, stung with shame, advanced, and setting up a shout, threw their javelins at a single enemy from all sides. After receiving all the darts which were thrown at

CHAP. X. him upon his shield, he continued with the same undaunted resolution, and in the same steady posture, to maintain the bridge. After this they endeavoured to shove him into the water by force, but the crash of the bridge that was broke down, and the shouts of the Romans for joy that they had finished their work, abated their fury a little, and struck a sudden terror into them. When Cocles saw this, he said, “O father
“Tiberinus, I beseech thee, in the most devout
“manner, graciously to receive me thy soldier, and
“these my arms, into thy merciful streams.” Having spoke thus, he leaped, armed as he was, into the river; and though many darts fell upon him, yet he swam across it, and escaped safe to his own men; having dared to perform what posterity will be more apt to admire than give credit to. The public, to testify their gratitude for his uncommon bravery, erected a statue to him in the comitium, and gave him as much land as he could encircle with a plough in one day. Private persons likewise vied with the public, in their zeal to do him honor: for though the scarcity of provisions was great, yet every one, in proportion to the stores he had in his family, saved some part of his own allowance in order to give it to him.

CHAP. XI. PORSENA being repulsed in his first attempt, resolved to turn the siege into a blockade; and after he had placed a garison in Janiculum, pitched his camp in the plain and on the banks of the Tiber. Then sending for boats from all parts, both to guard the river, to prevent the conveying of provisions by water to Rome, and also to transport his soldiers, to plunder different places of their dominions as occasion required; in a short time he so harassed the country round the city, that they were obliged not only to remove every thing else, but even to drive their cattle into it, and no-body durst venture them without the gates. The Romans suffered the Etrurians to ravage the lands without interruption, more through policy than fear: for Valerius watch-

ing an opportunity to fall at unawares upon a number of them, when straggling through the fields, let small parties of the enemy escape with impunity, but reserved the weight of his vengeance for more important occasions. Wherefore, to decoy these pillagers, he ordered all his people to drive their cattle the next day out at the Esquiline^a gate, which was farthest from the enemy, presuming that they would get intelligence of it by some treacherous slaves, who, because of the severity of the famine, and the closeness of the blockade, would not fail to desert. Accordingly they were informed of it by a deserter, and parties more numerous than usual, in hopes of seizing all the cattle, crossed the river. Then P. Valerius commanded T. Herminius with a considerable body of men to lye in ambush two miles from the city on the Gabinian road, and Sp. Lartius with a party of young men lightly armed to post himself at the gate Collina^b, to wait till the enemy passed by, and then, by throwing himself behind them, intercept their return to the river. The other consul T. Lucretius marched out at the gate Nævia^c with some companies of soldiers, and Valerius himself led

^a This gate led to the field Esquilinus. Criminals passed through it to execution, and dead carcases and filth were carried out of the city that way: it is probable that it was formerly Porta Mæcia. From the figure of a bull's head upon this gate, it had the name of *Porta Taurina*. Some authors call it *Porta Labicana*, and *Porta Prænestina*; because, they say, it led to two roads, one of which went to Labicum, and the other to Præneste. But others pretend that these different names signify different gates.

^b This gate was so called from the word *collis*, which signifies a little hill, because it joined the two hills Quirinalis and Viminalis. It had also the name of Quirinalis, from the hill of that name, or from a little temple in the neighbourhood, sacred to Quirinus. This gate led to the Salarian way, whence it was afterwards called

Porta Salaria; and as there stood near it a temple dedicated to *Salus* or Health; it is therefore called by some authors *Porta Salutaris*. It's first name was that of the gate *Agonensis*, which was given it either from the Agonalian sports which were celebrated before it, when the circus was overflowed by the Tiber, or according to Festus, because hills were formerly called Agones.

N. B. All the antiquaries have tired themselves in vain with enquiring into the situation and number of the gates of Old Rome; and after all their enquires have not been able to come to any certainty about either.

^c Which Varro derives à *nemobus* from the woods which formerly stood near it. Some think it stood between the gate Capena and the Tiber; others think it stood on the east side of the city near the gate Esquilina.

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XI.



some chosen cohorts down from mount Coelius, who were first descried by the enemy. When Herminius heard the noise, he rose out of the ambuscade and fell upon the rear of the Tuscans, who had charged Valerius. The alarm at the same time was given on the right and left, from the gates Collina and Nævia. By this stratagem the plunderers were surrounded and put to the sword; for they were not a match for the Romans in battle, and as all the ways were blocked up, they could not escape by flight: nor after this did the Heturians venture to stroll about the country in such a disorderly manner.

CHAP.

XII.



NEVERTHELESS the blockade continued, corn was very scarce, and excessively dear. Por-sena hoped too by continuing the siege to take the city, when C. Mucius, a young nobleman, thinking it a disgrace, that as the Romans, when enslaved under kings, had never been confined within their walls by any war, nor besieged by any enemy, should now when a free people be blocked up by these very Heturians, whose armies they had often routed, took a resolution to wipe off that reproach by some great and bold attempt, and at first designed privately to penetrate into the enemy's camp. After this, being afraid, if he went without the permission of the consuls, or communicating his design to any body, he might be seized by the Roman guards and brought back as a deserter, especially at a juncture when the situation of the city would justify their suspicions, he went to the senate and thus addressed them, "Fathers, I intend to cross the Tiber, and enter
" the enemy's camp, if I can; not through a de-
" fire of plunder, or to revenge in our turn the
" devastations they have committed. I am resolved
" to perform an action greater and more glorious." The senate approved his design, and he set out with a poniard hid under his clothes. When he came thither, he planted himself among the thickest of the crowd, near the king's tribunal. It happened
that

that the soldiers were receiving their pay, and the king's secretary sitting by him, dressed almost as magnificently as his master, was busy in dispatching business, and to him they commonly addressed themselves. Being afraid to ask which of them was Porfena, lest his ignorance should discover him, as fortune blindly directed the blow, he killed the secretary instead of the king. He was going off, and had, with his bloody dagger, made his way through the multitude, amazed at this bold attempt, when the cry was given, and immediately the king's guards surrounded him, seized and brought him back to the presence of Porfena. And now, though he was destitute of all manner of relief, in sight of the most terrible punishments which threatened him, yet with a countenance that struck more terror than it discovered fear, he said to him, "I am a Roman, my name is C. Mucius, who as an enemy would have killed my enemy. I have as much courage to endure death, as to slay another person. It is like a Roman to behave valiantly, and suffer with resolution. I am not the only one who bear this resentment against thee; there is a great number to come after me, who all aspire to the same honor. Therefore, if you chuse it, arm thyself, every moment to run the risk of thy life, and have the sword and enemy in the door of thy tent. This war we the Roman youth denounce against thee. Thou mayest hereafter be afraid of neither army nor battle. With thee alone will we have to do, one after another." When the king, highly incensed, and at the same time terrified at the risk he had run, in a menacing manner, commanded fires to be kindled about him, if he did not speedily discover the plots, which, by his threats, he had darkly insinuated to be prepared against him; Mucius said, "Behold me, that you may be sensible how despicable a body is to those who aim at great glory," and immediately put his hand into the fire that

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XII.

was lighted for the sacrifice. When he continued to broil it as if he had been quite insensible, the king, astonished at this surprising sight, leaped from his throne and commanded the young man to be removed from the altar, saying, “Be gone, thou hast behaved more like an enemy towards thyself than me. I would encourage thee to persevere in thy virtue, if thou hadst exerted the same in behalf of my country. I now discharge thee, by the law of arms, without any violence or injury.” Then Mucius, as an acknowledgment for the king’s generosity, said, “Seeing you have such a regard for virtue, as to draw from me, by your generous behaviour, a discovery which you could not extort by force; three hundred of us, the chief of the Roman youth, have conspired to kill you in this manner. It was my lot to attempt it first. The rest will follow each in his turn, and will fall upon you, as soon as they can find a proper opportunity.

CHAP.

XIII.

MUCIUS being dismissed, who was afterwards named Scævola^a, from the loss of his right-hand, ambassadors from Porfena followed him to Rome. The risk he had run in the first attempt, in which nothing saved him, but the mistake of him who had lain in wait for him; and the constant dangers he was unavoidably exposed to, in proportion to the number of conspirators, made so strong an impression upon him, that of his own accord he made propositions of peace to the Romans. He endeavoured, but in vain, to insert, among the articles, the restoration of the Tarquins: but he did this rather, because he could not deny their request, than from a persuasion that the Romans would comply with the proposal. He got the lands of the Veientes restored to them, and the Romans were obliged to give hostages, upon condition the king should withdraw his garison from Janiculum. Peace being

^a Because after the loss of his right-hand, he made use of his left.

concluded

concluded on these terms, Porfena drew his troops out of that fort, and marched out of the Roman territories. The fathers gave Mucius, as a reward of his valor, lands on the other side of the Tiber, which were afterwards called the meadows of Mucius^b. By this regard, which was shewn to his valor, the women were excited to actions, which were greatly for the honor of the public. As the He-trurians had pitched their camp near the banks of the Tiber, a young lady named Clælia, one of the hostages, deceiving her keepers, swam over the river, amidst the darts of the enemy, at the head of a troop of virgins, and brought them all safe to their relations. When the king was informed of their escape, he was at first highly incensed, and sent deputies to Rome to demand Clælia to be delivered up to him: at other times he seemed not to regard it; and afterwards, being transported with the admiration of her courage, he said, "That this action exceeded the achievements of even Cocles and Mucius," and gave out, "that as he would look upon the refusal to deliver up Clælia, to be a breach of treaty; so, if she was given up, he would send her back safe to her parents." Both sides kept their faith: the Romans restored their hostage according to treaty; and the king of Hetruria not only offered her no injury, but even did honor to her courage; and, after making encomiums on the young lady, promised to give her, as a present, a part of the hostages, and that she should choose whom she pleased. When they were all brought out, she is said to have pitched upon the young men, who were under age; both because this choice was becoming a virgin, and by consent of the hostages themselves, who agreed to it's being most reasonable, they should first be delivered

^b It was customary among the Romans to make the soldiers, who distinguished themselves in battle, a present of corn, which was called *adorea*; but to others was given the fee of a piece of ground, and in this

consisted all the riches of the most illustrious Romans in those early times. But he was thought a dangerous citizen who was not content with seven acres of land.

CHAP. XIII. from the enemy, who, on account of their age, were most exposed to their insults. The peace being renewed, the Romans rewarded the uncommon courage of Clælia, by erecting to her, in the top of the Via Sacra, an equestrian statue, representing a virgin on horseback, which was an honor without precedent.

CHAP. XIV. A custom handed down from the ancients, of selling the goods of king Porfena, whenever a sale is proclaimed by the public, though inconsistent with the peaceable departure of the king of Hetruria from Rome, is still retained among the other solemn usages in our time. This usage must either have begun in time of that war, and been continued after the peace, or it must have taken its rise from a more friendly beginning, than this form of selling goods in an hostile manner imports. The most probable of all the accounts we have concerning the matter, is this, that when Porfena marched from Janiculum, he made a present of his camp, well stored with all manner of provisions brought from the fruitful and adjacent Lands of Hetruria, to the Romans. As the city was in great distress, by reason of the long blockade, the goods were sold, for fear the people should have broke into the camp, and rifled them; and were called Porfena's, rather to express their gratitude for that prince's generosity, than to intimate their setting his property to sale, which was not in the power of the Romans to do. Porfena, after ending the war with the Romans, that he might not seem to have led his army into these parts without effecting any thing, sent his son Aruns with a part of his forces to besiege Aricia^a. The Aricians were at first terrified at this

^a A considerable city of Latium, a mile beyond the ancient city of Alba. It is now a small town called La Riccia. It stood in the Appian way about 15,000 paces from Rome. Near this city was the lake Aricia, at present Lago de Nemi, and a forest and mountain of the same name, which were famous among the an-

cients for the secret conversations between Numa and the nymph Egeria. Afterwards Aricia became a municipal town. But we must not confound the grove and fountain of Egeria, which Numa consecrated at Rome near the gate Capena, with the forest and fountain of Aricia.

unexpected invasion; but afterwards, upon sending for assistance from the people of Latium and Cumæ, their hopes were so much raised, that they ventured to give them battle, in which the Hetrurians attacked the Aricians so furiously, that they routed them at the first onset. But the Cuman troops, opposing superior force by an artful stratagem, drew off to one side, and when the enemy had passed by them in great disorder, turned and charged them in the rear. By this means the Hetrurians, when they had almost got the victory, were enclosed and cut to pieces. A very few of them, having lost their general, because they had no nearer refuge, came to Rome without their arms, in the condition and with the air of suppliants. They were kindly received and entertained. When their wounds were cured, many of them went home and told the civil usage they had met with. Numbers of them, from the love they bore to their hosts and to the city, staid at Rome, and a place was assigned them to dwell in, which they have ever since called Tuscus Vicus, or the Tuscan-street^b.

THEN P. Lucretius and P. Valerius were elected consuls. The latter had been twice consul before. This year ambassadors came from Porsena for the last time, to propose the restoration of the Tarquins to the crown. They were answered, that the senate would send deputies to the king; and accordingly they forthwith dispatched some of the principal persons of that order to represent to him, that “though they might have answered his ambassadors in a few words at Rome, that they would not receive the kings, yet they had chose to send the chief men of their body to wait on him, that this proposition might never be mentioned for the future, and that their minds might not be made uneasy at a time when they were receiving so many

P. Lucretius
and P. Valerius
consuls.
Y. of Rome
247. B. J. C.
505.

^b This street was in the way from the forum to the great circus.

CHAP.

XV.

“ extraordinary favors from one another, by his re-
 “ quiring what was inconsistent with the liberty of
 “ the Roman people, and by their refusing to grant
 “ to him, whom they would willingly oblige in every
 “ thing, a request which they could not comply
 “ with, except they would submit to their own ruin.
 “ That the Roman people were not now under the
 “ government of kings, but in the full enjoyment
 “ of their liberties, and firmly determined ra-
 “ ther to open their gates to declared enemies than
 “ to them. They all desired, that their city and the
 “ freedom they possessed might have the same pe-
 “ riod. For these reasons, if he wished for the pre-
 “ servation of Rome, they earnestly besought him,
 “ to suffer it to remain a free state.” The king,
 overcome by their modest arguments, said, “ See-
 “ ing you are resolute and bent upon it, I will not
 “ press you by a vain repetition of the same propo-
 “ sals; nor will I amuse the Tarquins with the hope
 “ of assistance, which I cannot give them. Whether
 “ their affairs require peace or war, they must seek
 “ for another residence in their exile, that nothing
 “ may disturb the peace subsisting between me and
 “ you.” To these kind promises he added actions
 that were more generous, for he delivered up their
 hostages that remained in his hands, and restored to
 them the land of the Veientes, which had been taken
 from them by the treaty of Janiculum. Tarquin, cut
 off from all hopes of returning to the kingdom,
 went to Tusculum^a to live in exile with his son-in-
 law Mamilius Octavius. By these means the peace
 between Porſena and the Romans was inviolably ob-
 served.

CHAP.

XVI.

THEN M. Valerius and P. Posthumius were
 chosen consuls. This year a victory was obtained
 over the Sabines, and the consuls received the honor

M. Valerius
 and P. Post-
 humius con-
 suls.

Y. of Rome
 248. B. J. C.
 504.

^a A city of Latium, about twelve miles from Rome, built on an emi-
 nence, where many of the Roman

nobility, and particularly Virgil and
 Horace, had country seats. Hor. Epod.
 1. 29. It is now called Frascati.

of

of a triumph. Upon this the Sabines made greater preparations for war than they had done before. To make head against them the better, and to prevent any surprize from Tusculum, whence they dreaded a war, though it was not yet declared, P. Valerius was created consul a fourth time, and T. Lucretius for the second time. A fedition arising between two factions of the Sabines, the one for making peace, and the other for continuing the war, brought from that state some additional strength to the Romans. For Atta Clausus, afterwards called at Rome Appius Claudius, had always declared for peace, but being hard put to it by those who promoted the war, and finding himself unable to resist the violence of that party, fled from Regillum^a to Rome, and brought with him a great number of his clients. They were made free of the city, and had land assigned them on the other side of the Anio. It was called the old Claudian tribe^b, and was encreased by the addition of some small tribes which had come from that country. Appius, being chosen into the senate, was soon after advanced to the highest dignity of that order. The consuls entered the territories of the Sabines with an hostile army, and having, both

CHAP.
XVI.
P. Valerius
and T. Lu-
cretius con-
suls.


Y. of Rome
249. before
J. C. 503.


^a There are now no remains of this city which the ancients called sometimes Regillæ, and sometimes Regillum. But by the descriptions which they have given of it, it appears to have been about twenty miles distant from Rome, and about five from the Tiber. Cluverius places it beyond Eretum and Nomentum.

^b There were among the Romans, city tribes, and country tribes, from Servius Tullius's time. Rome itself was divided into four tribes, which took their names from the several quarters of the city. The first was called Suburana Tribus; the second, Tribus Palatina; the third, Tribus Esquilina; the fourth, Tribus Collina. The country belonging to the Romans, was also divided into tribes, in the same manner, and they, for the most part, took their names from some illustrious families in Rome.

It is probable that there already was a tribe in the territory, in which Clausus or Claudius's clients were placed; and that, upon their coming, it took the name of Tribus Claudia, in honor to those who were newly come to settle in it. Some will have their district to have been on the banks of the Anio; but others say it lay between Fidena and Ficala. Nor were the tribes in the country inferior to those in the city: for Pliny, b. 18. chap. 3. informs us, that the most illustrious Romans, who had lands in the country, and an house in Rome, chose rather to be enrolled in the tribe, in which their estates lay, than in the tribe or quarter, where their houses stood in the city. They were by this means less exposed to the jurisdiction of the censor, and their rights, as citizens, were not at all impaired by it.

by

CHAP. by ravaging their country, and afterwards defeating
XVI.  ing them in battle, reduced their forces so low,
 that they had no reason to dread their taking up arms
 again, they returned to Rome in triumph. The
 following year, Agrippa Menenius and P. Posthu-
 mius being consuls, P. Valerius, whom every body
 allowed to be the ablest man in Rome, both in the
 arts of peace and war, died in the height of
 glory, but so poor, that he had not wherewith to
 defray the expences of his funeral, and for that rea-
 son was buried at the public charge. The ladies
 mourned for him as they had done for Brutus. The
 same year two Latin colonies, Pometia and Cora, re-
 volted to the Arunci. War was commenced against
 Arunci, and after defeating a numerous army of
 them who boldly met the consuls entering their fron-
 tiers, the whole war was confined to the single town
 of Pometia. Nor, after the battle was over, did they
 spare the lives of the Arunci more than they had
 done in the heat of the action: for a greater num-
 ber were slain than taken, and the prisoners were put
 to the sword without distinction. And so far did the
 Romans carry their resentment, that even three hun-
 dred hostages, which they had received, were not
 saved from military execution. This year the con-
 suls triumphed at Rome.

CHAP. THE following consuls Opiter Virginius and Sp.
XVII.  Cassius first endeavoured to take Pometia by storm,
 and afterwards by raising vineæ^a and other works.
 But the Arunci, prompted more by an irreconcilable
 hatred against them, than induced by hopes of success,
 or tempted by a favourable opportunity, sallied out
 of the town, and though more of them were armed
 with lighted torches than swords, filled all places
 with fire and slaughter. After they had burnt down
 the vineæ, killed and wounded many of the enemy,

Agrippa Me-
 nenius and
 P. Posthu-
 mius con-
 suls.

Y. of Rome
 250. B. J. C.
 502.

Opiter Vir-
 ginius and
 Sp. Cassius
 consuls.

Y. of Rome
 251. Before
 J. C. 501.

^a An engine of war made of tim-
 ber and hurdles, under which, in an
 assault, they came safely under the
 walls of a town, and so scaled them.
 They were usually eight foot broad,
 seven high, sixteen long.

one of the consuls was thrown from his horse, but which of them, authors do not mention, and left on the field almost dead. Upon this defeat the Romans returned to Rome, and the consul was left among many more who were wounded, with very little hopes of his recovery. After a short time employed in curing their wounds, and recruiting their army, they marched against Pometia with a more numerous army than before, and hearts more keenly bent on revenge. When they had repaired the vineæ and other works, and the siege was so far advanced, that the foldiers were on the point of scaling the walls, the town surrendered. Nevertheless the Arunci were treated with no less severity, than if the city had been taken by assault; for all their nobility were beheaded, the rest of the people sold for slaves, the city razed, and their lands exposed to sale. The consuls obtained the honor of a triumph rather on account of the severe revenge they had taken on the enemy, than the importance of the war they had finished.

THE following year Posthumus Cominius and T. Lartius were elected consuls. During the celebration of the games at Rome, as some of the Sabine youth, in a frolic, were carrying off some lewd women, the mob rose upon them, upon which, not only a terrible scuffle ensued, but even a battle had like to have happened; and from this inconsiderable affair, the whole nation seemed inclined to renew hostilities. Besides the dread of the Latine war, their fears were augmented on receiving certain intelligence, that thirty different nations^a had entered into a confederacy against them, at the instigation of Octavius Mamilius. While the city was under the utmost con-

Posthumus
Cominius
and T. Lar-
tius consuls.
Y. of Rome
252. Before
J. C. 500.

^a The names of those cities, whose deputies signed this treaty, according to Dion. Hal. were, Ardea, Aricia, Bovilla, Bubentum, Cora, Corventum, Circaëum, Corioli, Corbintum, Cabanum, Fortinæum, Gabii, Laurentium, Lanuvium, Lavinium, La-

bicum, Nomentum, Norba, Præneste (a city which, according to our author, had submitted to the Romans) Peda, Corcotulum or Querquetulum, Satricum, Scaptia, Setia, Tellenium, Tibur or Tivoli, Tusculum, Tolerium, Tricrinum and Velitræ.

CHAP.
XVIII.

cern about the event of these great designs, it was first proposed to nominate a dictator^b. But it is uncertain in what year this happened, and who were at that time the consuls in whom the Romans put no confidence, because they were said to be in Tarquin's interest; nor is it sufficiently authoris'd, who was the first that was rais'd to that high office. In the most ancient historians, I find that T. Lartius was first created dictator, and Sp. Cassius made his general^c of the horse. They chose men of consular dignity,

^b This supreme officer was call'd dictator, either because he was dictus, named of the consul; or else from his dictating and commanding what should be done. Though we sometimes meet with the naming of a dictator upon a smaller account, as the holding the comitia for the election of consuls, the celebration of public games, the fixing the nail up in Jove's temple, (which they called *clavum pangere*, and which was used in the times of primitive ignorance, to reckon the number of the years, and in the times of latter superstition, for the averting or driving away pestilences and seditions) and the like; yet the true and proper dictator was he, who had been vested with this honor upon the occasion of dangerous war, sedition, or any such emergency as required a sudden and absolute command. And therefore he was not chosen with the usual formalities, but only named in the night, *vivâ voce*, by the consul, and confirm'd by the divination from birds. The time assign'd for the duration of the office was never lengthn'd, except out of mere necessity: and as for the perpetual dictatorships of Sylla and Julius Cæsar, they are confess'd to have been notorious violations of the laws of their country. There were two other confinements which the dictator was oblig'd to observe. First, he was never to stir out of Italy, for fear he should take advantage of the distance of the place, to attempt any thing against the common liberty. Besides this, he was always to march on foot; only upon account of a tedious or sudden expedition, he formally ask'd leave

of the people to ride. But setting aside these restraints, his power was most absolute. He might proclaim war, levy forces, lead them out, or disband them, without any consultation had with the senate: he could punish as he pleas'd; and from his judgment lay no appeal; at least not till in latter times. To make the authority of his charge more awful, he had always twenty-four bundles of rods, and as many axes, carried before him in public, if we will believe Plutarch and Polybius. Though our author attributes the first rise of this custom to Sylla. Nor was he only vested with the joint authority of both the consuls; (whence the Grecians call'd him *Διουπαλος* or Double Consul;) but during his administration, all other magistrates ceas'd, except the tribunes, and left the whole government intrusted in his hands.

This office had the repute to be the only safeguard of the commonwealth in times of danger, four hundred years together: till Sylla and Cæsar having converted it into a tyranny, and render'd the very name odious, upon the murder of the latter, a decree pass'd in the senate, to forbid the use of it upon any account whatever for the future.

^c The first thing the dictator did, was to chuse a *magister equitum*, or general of the horse, (he himself being, in ancient times, by a more general name term'd *magister populi*), who was to be his lieutenant-general in the army, but could act nothing without his express order. Yet in the war with Hannibal, when the slow proceeding of Fabius Maximus created

dignity, for so the law, made for the election of a dictator, ordained. For this reason, I am more inclined to believe that Lartius, who had bore the office of consul, was appointed as a governor and master to the consuls, rather than Manius Valerius the son of Marcus, and grandchild of Volefus, who had not yet attained to that dignity. For, had they intended to chuse a dictator of that family, they would much rather have pitched upon his father Valerius a consular person, and a man of distinguished merit. Upon the creation of the dictator first at Rome, when the common people saw the axes carried before him, they were struck with great awe and dread, and became more submissive and ready to obey his orders. For they could not now, as under the government of consuls, whose power was equal, expect protection from one of them, or appeal to the people; there was no resource but in a ready submission to his will. The nomination of a dictator at Rome terrified the Sabines, and did it the more effectually, because they thought he was created on purpose against them. Wherefore they sent ambassadors to sue for peace, earnestly intreating the dictator and senate to pardon the young mens offence. They were answered, that they could easily forgive the young, but not the old men, who continually raised one war after another. Nevertheless they continued to treat about a peace, and it would have been granted, if the Sabines, according to what was demanded of them, would have consented to reimburse the expences of the preparations which the Romans had made. War was proclaimed, but a truce privately concluded prevented hostilities for that year.

created a suspicion in the commons, they voted, that Minutius, his general of the horse, should have an equal authority with Fabius himself, and be, as it were, another dictator. The like was afterwards practis'd in the same war upon the defeat at Cannæ, when the dictator, M. Junius, being with

the army, Fabius Buteo was chose a second dictator at Rome, to create new senators for the supplying their places who had been kill'd in the battle: though as soon as ever the ceremony was over, he immediately laid down his command, and acted as a private person.

IN

CHAP.
XIX.

Servius Sul-
picius and
M. Tullius
consuls.

Y. of Rome

253.

B. J. C.

499.

T. Æbutius
and C. Vetu-
sius consuls.

Y. of Rome

254.

B. J. C.

498.

IN the consulship of Servius Sulpicius and M. Tullius nothing remarkable happened. Their successors were T. Æbutius and C. Vetusius. In their consulship, Fidenæ was besieged, Crustumeria taken, and Præneste revolted from the Latines to the Romans. Upon this the Latine war, which had been gathering for some years, immediately broke out. A. Posthumius dictator, and T. Æbutius his general of the horse, marching with a numerous army of horse and foot to the lake Regillus^a in the country of Tusculum, met the enemy's forces, and upon hearing that the Tarquins were in the army, were so transported with fury, that they came immediately to an engagement. This occasioned a very obstinate and bloody battle. For the generals were not content to give proper orders, but even charged one another fiercely, and exposed their persons in the hottest of the action. And there was hardly any of the principal officers of either side who came off unwounded, except the Roman dictator. As Posthumius was drawing up his men and encouraging them to fight, Tarquin the Proud, though his strength was decayed, and he was become unweildy by age, rode up at full speed and with great fury to attack him; but he received a wound in the side, and was carried off by his own men who came quickly to his relief. In the other wing, Æbutius general of the horse, had charged Octavius Mamilius; nor did the Tusculan general, who observed him coming, decline the engagement, but briskly spurred on his horse to encounter him. And with such impetuosity did they push their spears against one another, that Æbutius was ran through his arm and Mamilius

* There was both a city and a lake of that name, but it does not appear that the one gave name to the other; for the city was in Sabinia, and the lake in Latium, towards Tusculum. Cluverius and Ferrarius are of opinion, that this lake is the same which

is now called Lago di S. Prassede. Others suppose it to be the lake now called Lago di Castiglione. Holstenius finds a little lake near the city Colonna, which appears to him to be the lake Regillus of the ancients.

through

through his breast. The Latines received him into their second line ; but as Æbutius was not able to wield his lance with his wounded arm, he retired from the battle. Mamilius, not in the least discouraged with the wound he had received, animated his men, and upon seeing their courage begin to fail, sent for a company of Roman exiles to support them, commanded by Tarquin's son. These men having been banished from their native country, and lost their estates, fought with the greater fury, and by that means renewed the battle for a short time.

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WHEN the Romans were beginning to give ground on that side, M. Valerius, brother to Poplicola, having observed young Tarquin boldly braving it at the head of his exiles, fired with the renown of his family, and ambitious that the house which had the honor of expelling the kings, should likewise have the glory of killing them, clapt spurs to his horse, and in great wrath threw a javelin at him. Tarquin avoided his formidable enemy by retiring into a battalion of his own men. Valerius rushed furiously among the exiles, one of whom run him sideways through the body. As the wound he received did not in the least stop the career of the horse, the expiring Roman fell to the ground and his arms fell above him. Posthumius the dictator, seeing this hero killed, the exiles advancing boldly in a body, and observing his own men disheartened and giving ground, gave the signal to his own cohort, a brave body of men chosen for the defence of his person, to treat every Roman soldier, who should fly from the battle, as an enemy. Upon this the Romans, finding themselves exposed to equal danger both in front and rear, stopt their flight, rallied, and faced the enemy. And now the dictator's guards, who had not engaged before, with fresh vigor and undaunted resolution fell upon the wearied exiles and cut them to pieces. Then the commanding officers on each side

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engaged a second time. The Latine general, seeing the exiles on the point of being furrounded by the Roman dictator, advanced in haste to the front with some companies of the body of reserve. T. Herminius saw them moving forwards, and as he well knew Mamilius, distinguished from the rest by his armour and dress, attacked him with a force so much superior to that wherewith the general of the horse had lately encountered him, that at the first push he run him through the side and slew him. While he was stripping the body of his enemy, he himself received a wound with a javelin; and though brought back to the camp victorious, yet he died on the first dressing of it. Then the dictator flew to the cavalry, and intreated them in the most pressing terms, as the foot were tired out with fighting, to alight from their horses and fall on. They obeyed his orders, dismounted, flew to the vanguard, and covered those front ranks with their round bucklers. The foot immediately took courage, when they saw the young noblemen serving on foot, and exposed to the same dangers with themselves. Thus at length were the Latines beaten back, and their hearts failing them, they retreated. The cavalry remounted, that they might the better pursue the enemy, and the infantry likewise followed. On this happy turn of affairs, the dictator, omitting nothing that could conciliate the assistance of Gods and men, is said to have vowed a temple to Castor, and likewise to have promised rewards to the first and second man who should enter the enemy's camp. And such was the ardor of the Romans, that they continued to charge the enemy with the same vigor wherewith they had routed them in the field, till they made themselves masters of their camp. This was the success of the battle at the lake Regillus. The dictator and general of the horse returned to the city in triumph.

FOR the next three years there was neither any settled peace nor open war. The consuls were Q. Clælius and T. Lartius. After them A. Sempronius and M. Minucius. In their consulship, a temple was dedicated to Saturn, and the ^a Saturnalia appointed to be kept as a festival. Then A. Posthumius and T. Virginus were chosen consuls. In some authors I find that the battle at the lake Regillus happened in this year, and that A. Posthumius, because the fidelity of his colleague was suspected, laid down his office, and upon this resignation was created dictator. Such great mistakes in chronology are intermixed with the history of these times, while some writers rank the magistrates in one order and some in another, that, according to several of them, it is impossible to give a distinct account, who were consuls, and in what particular year every remarkable action happened, by reason of the antiquity, not only of the facts, but also of the historians who relate them. Then Ap. Claudius and P. Servilius were elected consuls. This year was remarkable for the news of Tarquin's death. He died at Cumæ, whither he had fled to the tyrant Aristodemus, after the reduction of the power of the Latines. The fathers and people were very joyful on receiving the news of his death. But the senators expressed their satisfaction in too extravagant a manner, for the chief men among them began to oppress the people, whom they had to that day studied to serve and oblige to the utmost of their power. The same year the colony

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XXI.

Q. Clælius
T. Lartius
consuls.
Y. of Rome
255.
Y. of Christ
497.
A. Sempronius and M. Minucius.
Y. of Rome
256.
B. J. C.
496.
A. Posthumius and T. Virginus.
Y. of Rome
257.
B. J. C.
495.

Appius
Claudius and
P. Servilius
consuls.
Year of R.
258.
B. J. C.
494.

^a Macrobius assures us, that this feast was celebrated in Italy long before the building of Rome. But we have no account that it was observed by the Romans before the time mentioned by our author, when it is probable they borrowed it from their neighbours. It was kept in honor of Saturn. Besides the sacrifices and other parts of public worship, there were several things which deserve notice. As first, the liberty at this time allowed to servants to be free with

their masters, in memory of the liberty enjoyed in the golden age under Saturn, before the names of master and servant were known. Besides this, friends sent presents to one another. No war was to be proclaimed and no offender executed. The schools kept a vacation, and nothing but mirth and freedom was to be met with in the city: they kept at first only one day, the 19th of December. But the number was afterwards increased to three, four, five, and some say, seven days.

which Tarquin had sent to Signia was recruited by a new supply of planters. The tribes at Rome were encreased to twenty one. And the temple of Mercury was dedicated the fifteenth of May.

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XXII.



DURING the Latine war, the Volsci had neither strictly observed peace nor declared open war against the Romans. For they got ready their troops to send to the assistance of the Latines, if the Roman dictator had not got the start of them, by making all possible expedition, that he might not be obliged to engage with them both at the same time. To resent this, the consuls marched their army into the lands of the Volsci, who, apprehending no punishment for their intention to assist their allies, were the more alarmed at this sudden invasion ; and without having recourse to their arms, gave three hundred children of the principal men of Cora and Pometia as hostages for their good behaviour. Upon this the Romans left their country without coming to any action. Soon after, when the Volsci were delivered from their fears, they returned to their natural temper, and having entered into an alliance with the Hernici, made secret preparations for war. They likewise sent ambassadors all over the country to engage the Latines to join with them. But the late defeat which that people had received at the lake Regillus, enflamed them with so strong an aversion and hatred against every body who advised them to take up arms, that they did not even spare the ambassadors themselves. They seized them and sent them to Rome. There they delivered them to the consuls, whom they informed that the Volsci and Hernici were preparing war against the Romans. When this affair was reported to the senate, the behaviour of the Latines was so agreeable to the fathers, that they sent back six thousand of their prisoners, and referred, to the new magistrates, the conclusion of a treaty with them, which they had till this time almost constantly refused. Up-

on this indeed the Latines were heartily glad at what they had done, and those, who had advised them to keep the peace, were in high esteem. They sent a crown of gold to the capitol as an offering to Jupiter. A great number of those prisoners, that had been sent home to their relations, came along with the ambassadors, who brought this present. They went to those persons whose slaves they had been, and thanked them for the generosity and kindness they had shewn them, during their captivity. To these marks of union they added mutual hospitality. And never was the Latine name more closely united to the Roman state, either by public or private gratitude.

BUT the Volsci threatned them with a war, and the city being divided into factions was enflamed by the deadly averfion, which the fenators and people had to one another. This hatred was occasioned between them by the ^a debtors being, for default of payment, bound to serve their creditors, till fatisfaction was made. They complained

^a The first custom that prevailed among the Romans was terribly severe; and though the laws might be designed to prevent extravagance, debauchery and idleness, they were utterly inconsistent with the laws of humanity and good policy. When the debtor was insolvent, the creditor had a right to put him in irons, or to sell him as a slave. Sometimes he was cruel enough to whip him unmercifully. After a certain number of summons's, the law granted to the debtor thirty-two days of grace, to give him time to raise the sum for which he was accountable. After this term was expired, if the debtor had not discharged the debt, he was led to the prætor, who delivered him up to the mercy of his creditors. These bound him and kept him in chains, for the space of sixty days. Afterwards, for three market-days successively, this debtor was brought to the tribunal of the prætor; then a public crier proclaimed in the forum the debt for which the prisoner was detained. Oftentimes there were found rich persons

who redeemed the prisoners by offering to pay their debts. But if no body appeared in behalf of the debtor, after the third market-day, the creditor had a right to inflict the punishment by law. *Tertiis nudinis capite pœnas dato, aut trans tiberim peregre venundicito, &c.* If there were several creditors, they were allowed, in consequence of so rigorous a law, to divide the body of the prisoner into several parts, and share them in proportion to the sum which they demanded. But this barbarous law did not continue long in force. It was changed into the punishment of coercion, that is, into the right the creditors had of imprisoning their debtors in their own house and making them slaves. These were called *nexi* and not *servi*, because their slavery lasted no longer than all their debts were paid. This coercion of private persons, who kept their debtors in their own houses, was afterwards changed into public imprisonments, which was a less rigorous punishment than the other.

loudly, that they who fought abroad in defence of liberty, and for the enlargement of the state, should be seized and distressed by their fellow-citizens at home; and affirmed, that the freedom of the commons was safer in war than in peace, and among enemies than their own countrymen. Their resentment, which naturally spread of itself, was kindled into a flame by the remarkable calamity of one person. An old man came into the forum with the marks of all the miseries he had suffered. His clothes were nasty and greasy, but his body in much worse plight, being pale and feeble with leanness; besides, his long beard and shaggy hair made his countenance look wild and hideous. However he was known in this miserable condition, and it was said he had been a centurion, and out of compassion to him the people proclaimed openly other military honors he had gained. He shewed them the scars on his breast, as a proof of his having behaved bravely on several occasions. When the people crowded round him, as if they had been summoned to an assembly, and asked him how his body came to be so lean, and his clothes so dirty! he answered, “ that when he was serving in
 “ the war against the Sabines he not only lost all the
 “ fruits of his land by the depredations of the ene-
 “ my, but his house had been burnt, all his effects
 “ rifled and his cattle carried off: that a tax had
 “ been imposed at a very unlucky time for him,
 “ and for the payment of it he had been obliged to
 “ borrow money: that interest^b being accumulated
 “ upon interest, he had first stript himself of the
 “ estate which had belonged to his father and grand-
 “ father, that then he had given up every thing he
 “ had, and that at last the disease like an infection
 “ had reached his body. That his creditor had
 “ seized him, and had not treated him as a slave, but

^b The laws in Rome permitted lending money at 20, 30, nay at *Cent. per Cent.* not only for a year, but even for a month. This shameful abuse was afterwards reformed, but it is

surprizing to see how strenuously the greater part of the Patricians opposed this reformation, which was so just and reasonable.

“ confined him to a house of correction and torture.” Then he shewed them his back deformed with the marks of the blows he had received. Upon this a great outcry was raised. The tumult was no longer confined to the forum, but spread through all parts of the city. Those who were confined for debt, and those who had been confined but were now at their liberty, hurried into the streets and implored the protection of the people. In all places, mutinous persons find abettors, and associates ready to join them. They run through all the streets in crowds to the forum with great shouts. The fathers who happened to be there, were in great danger from the mob, who would certainly have fallen upon them, had not the consuls P. Servilius and Ap. Claudius come in haste to quell the riot. The multitude turned towards them, and shewing their chains and ghastly faces, said, these were the rewards of their services, and upbraided them with the campaigns they had made in different places. They required them with menaces, rather than the air of suppliants, to assemble the senate, and stood round the house in a body, determined, to direct and over-rule their deliberations. Very few senators were present, only those that happened to be on the spot, assembled with the consuls; fear prevented the rest from coming not only to the house, but even to the forum. The senate could do nothing for want of a sufficient number. Upon this the people began to think their demand was eluded, and the redress of their grievances delayed; that the senators had absented, not through chance or fear, but on purpose to hinder the affair. They said the consuls trifled with their petition, and openly made sport of their miseries. By this time the sedition was come to such a height, that the majesty of the consuls could hardly restrain the violence of the mutineers. Wherefore the senators, uncertain whether they exposed themselves to greater danger by staying at home, or venturing abroad, came at length to the senate; but though

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XXIII.

the house was full, the fathers were not unanimous, even the consuls themselves were divided in their sentiments. Appius, a man of a violent temper, thought the matter was to be done by the authority of the consuls, and that if one or two of the most seditious were seized, the rest would be quiet. Servilius who was more inclined to moderate measures, thought that while their minds were in this ferment, it would be more safe and easy to bend than to break them. Amidst these debates, they were alarmed with something that was more terrible.

CHAP.
XXIV.

SOME Latine horse came full speed to Rome, and brought the disagreeable news that the Volsci were marching with a hostile army, to besiege the city. This news was received by the senate and people quite in a different manner, so far had civil discord divided the same city into different factions. The people rejoiced exceedingly at it, and said, that the Gods joined to chastize the pride and insolence of the fathers. They encouraged one another not to list, saying, it was better the whole state should be destroyed, than that they should perish alone. Let the patricians take arms and fight themselves, that they who reap benefits from war, may be exposed to the dangers of it. But on the other hand, the senate, dispirited and dreading both citizens and enemies, earnestly intreated the consul Servilius, who was a more popular man than his colleague, to deliver the commonwealth from the imminent dangers that threatned it. This consul, having dismissed the senate, went to an assembly of the people, where he assured them that the fathers would take care of their interests. But while they were deliberating upon proper measures for the relief of the people, who were indeed the greatest, and yet but a part of the society, the whole state had been alarmed with fears. That as the enemy were advanced almost to their gates, they could do nothing till the conclusion of the war; and though there

there had been longer time, it would not be honorable for the people to refuse to take up arms in defence of their country, except they were paid beforehand; nor consistent with the dignity of the fathers to relieve the estates of their fellow citizens encumbered with debt rather through present fear, than afterwards to do it voluntarily and upon mature deliberation. And to convince the assembly of the sincerity of their intentions, he published a proclamation, which forbad, “ The detaining of a Roman citizen either in prison or in chains to hinder his lifting himself under the consuls. And that no body should either seize or sell the goods of any soldier, while he was in the camp, or arrest his children, or grandchildren.” As soon as this ordonnance was published, the debtors who were present immediately entered their ^a names, and great numbers from all quarters of the city, as their creditors could not detain their persons, came out of their lurking places and crowded into the forum to take the military

^a At the same time of the year, as the consuls were declar'd elect or design'd, they chose the military tribunes, fourteen out of the body of the equites, who had serv'd in the army five years; and ten out of the commonalty, such as had made ten campaigns. The former they call'd *tribuni juniores*, the later *seniores*.

The consuls having agreed on a levy, (as in the time of the commonwealth, they usually did every year) they issu'd out an edict, commanding all persons who had reach'd the military age (about 17 years) to appear (commonly) in the capitol, or in the area before the capitol, as the most sacred and august place, on such a day. The people being come together, and the consuls, who presided in the assembly, having taken their seat, in the first place, the four and twenty tribunes were disposed of, according to the number of legions they design'd to make up, which was generally four. The junior tribunes were assign'd, four to the first legion, three to the second, four to the third, and three to the last. The senior tri-

bunes, two to the first legion and the third; three to the second and last. After this, every tribe being called out by lot, was ordered to divide into their proper centuries; out of each century were soldiers cited by name, with respect had to their estate and class; for which purpose there were tables ready at hand, in which the name, age, and wealth of every person was exactly described. Four men, as much alike in all circumstances as could be pitch'd upon, being presented out of the century, first the tribunes of the first legion chose one, then the tribunes of the second another, the tribunes of the third legion a third man, and the remaining person fell to the tribunes of the fourth. Then four more were drawn out; and now the right of chusing first belong'd to the tribunes of the second legion; in the next four to the tribunes of the third legion; then to the tribunes of the fourth legion, and so round; those tribunes chusing last the next time, who chose first the time before; the most equal and regular method imaginable.

oath.

oath^b. These made up a considerable body of men; and none behaved with more courage or were more useful in the war against the Volsci. The consul led out his army against the enemy, and pitched his camp at a little distance from them.

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XXV.

THE next night the Volsci, relying on the discord that prevailed among the Romans, made an attempt on their camp, to see if any of them under cover of the night would either betray the rest or come over to them. The centinels on guard perceived their design; the army was alarmed, and the signal being given, run to their arms. By this means the Volsci were disappointed, and both sides remained quiet the rest of the night. The next morning at day break the Volsci, having filled the ditches, attacked the rampart. They had already begun to break down the palisadoes of the camp on all sides, when the consul, though his men from every quarter, but especially the debtors, cried out to him to give the signal, delayed a little to try the good-will of his soldiers; but being convinced of their ardor, he gave the word of command, and let out his men who were impatient for the battle. The enemy were routed at the first charge; the foot pursued and slew all those they were able to overtake, and the horse drove the rest in a great consternation to their camp. The legions immediately invested it, and as the Volsci left it in a panic, it was taken and plundered. The day after, the army marched to Sueſſa Pometia, whither the enemy had fled: the city was taken in a few days, and given to be plundered by the soldiers, which proved some relief to their pre-

^b The giving the military oath, which was called *sacramentum*, was properly speaking the legal method of forming the Roman armies. After the soldier had been chosen out of each tribe, the oath was administered to them in the following manner. The tribunes of each legion assembled the body they commanded. Then one soldier in a legion swore in the name

of all the rest, to obey the commanders of the Roman army. After he had ended, the whole legion passing by, one by one, every man, in short, swore to the same effect, crying as he went by, *Idem in me*. This custom continued till the 538th year of Rome; and then another oath was added, called by our author, b. 22. but of this in it's proper place.

sent want. The consul brought back his victorious army to Rome with the greatest glory. But before he set out for the city, the deputies of the Ecetrans, who were a part of the Volsci, after the taking of Pometia, dreading the ruin of their state, came to him. By a decree of the senate peace was granted them, but all the property of their lands was taken from them.

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XXV.

IMMEDIATELY after the conclusion of this peace, the Sabines put the Romans in a fright; but it was rather a tumult than a war. The city was alarmed in the night with an account that the Sabine army was advanced as far as the river Anio, ravaging the country, and that they there plundered and burnt all the farm-houses without mercy. Upon receiving this news, A. Posthumius, who had been dictator in the Latine war, was immediately sent against them with all the horse. The consul Servilius followed him with a choice body of foot. The cavalry cut off most of the stragglers; nor did the Sabine legions make any resistance against the foot when they came up with them. Being tired with their march and plundering the country in the night, and a great number of them being overcharged with eating and drinking in the peasants cottages, they had not even strength sufficient to fly. Having thus received the news of the Sabine war, and of it's being finished in one night, the next day, when the Romans were in great hopes that they had secured peace with all their neighbours, the ambassadors of the ^aArunci came to the senate, threatening them with an immediate declaration of war, if they did not withdraw their troops from the territory of the Volsci. At the same time, that the deputies set out for Rome,

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^a The Arunci possessed that part of Italy which reaches from Terra di Lavoro, beyond the Carigliano or the Liris. The capital of this nation

was situated almost in the neighbourhood of the cities of Fundi and Cajeta.

CHAP. their army had likewise begun it's march thither.
 XXVI. The report of it's being seen not far from Aricia, occasioned so much confusion at Rome, that the senate could not be regularly consulted, and their hurry in arming themselves would not suffer them to give a deliberate answer to the Arunci, who had invaded their dominions. They marched to Aricia with a resolution to fight, came to an engagement not far from that city, and in one battle put an end to the war.

CHAP. AFTER the defeat of the Arunci, the people
 XXVII. of Rome, who had finished so many wars successfully in a few days, expected that the senate and the consul would perform their promises. But Appius, both through his natural pride, and a design to make void the engagements of his colleague, put in execution the laws against those, who had borrowed money, with the utmost rigor. And from this time, those who had been in the prisons of their creditors, were delivered up to them again, and others also were put into their hands. When this happened to a soldier, he applied to Servilius for assistance, and every body ran to him for relief. They represented to him the promises he had made, and all of them upbraided him with the services they had done in war, and shewed him the scars of the wounds they had received. They loudly called upon him to lay the matter before the senate, and conjured him, as he was consul, to relieve his fellow-citizens, and, as general, to protect his soldiers. These things filled the consul with compassion, but the situation of affairs obliged him to seek for pretexts to put it off; for not only Appius but the whole body of the patricians opposed him with all their might. And thus by endeavouring to manage both parties, he neither escaped the odium of the people, nor gained the favor of the senate. The fathers looked upon him as a weak ambitious man, and the people considered him as a rogue. And it soon appeared that he was as
 odious

odious to them, as Appius himself. A dispute had happened between the consuls about the dedication of a temple to Mercury. The senate referred the affair to the people, and ordained that whoever of them should be chosen to dedicate the same, should have the care of furnishing the city with provisions, establish a company of ^a merchants, and perform the functions of a pontifex maximus within the verge of that temple. The people gave the dedication of it to M. Lætorius the first ^b centurion of a legion, that it might plainly appear to every body, that they did not intend so much to do him honor, by conferring on him an office above his rank, as to affront the consuls. Upon this the fathers and Servilius the other consul were provoked to the highest degree. But the people took courage, and proceeded in a manner quite different from what they had at first intended. For when they despaired of obtaining redress of their grievances from the consuls and senate, upon seeing a debtor arrested, they flew from all quarters to his relief. They set up such shouts, and made such a clamor, that the consul's decree could not be heard, and after he had passed sentence, no body obeyed it. They did every thing by force and violence, and when any single debtor was arrested by several officers in presence of the consul, all the fear and danger of losing their liberty changed sides, and went from the debtors to the creditors. During these dissensions, the dread of the Sabine war alarmed them, and when a levy was decreed, no body lifted themselves. Appius was enflamed with the most violent rage, and bitterly inveighed against the popular arts of his colleague, who by his silence, in complaisance to the peo-

^a Mercury, who was thought by the pagans to be the God of commerce, was as it were the patron of this society. For this reason Tully calls merchants Mercuriales.

^b The first centurion, according to

Vegetius, b. 2. not only had the eagle of the legion in his company, but had likewise the command of four centuries, i. e. 400 men. The other centurions in the legion were his subalterns.

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XXVII.

ple, betrayed the republic, and besides his not passing sentence against the debtors, had likewise neglected to raise the levies, after they had been voted by the senate. Yet he declared, that “the commonwealth was not entirely abandoned, nor the consular authority exposed to contempt. That he alone would support the majesty of the fathers, and the dignity of his office.” When the mob, emboldened by their daily licentiousness, stood round him, he commanded a noted ringleader of the sedition to be apprehended. As the lictors were carrying him off, he appealed to the people; but the consul knowing well what their judgment would be, would have over-ruled the appeal, had not his obstinacy with great difficulty been overcome more by the counsel and authority of the leading men of the senate, than by the clamors of the people; so much resolution he had to bear the weight of their odium. The breach grew every day wider, and they not only continued their daily clamors, but, which was far more dangerous, began to make a secession and to hold secret meetings. At length the consulship of Servilius and Appius, both odious to the commons, expired: the latter was highly esteemed by the fathers, but the former was beloved by neither party.

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XXVIII.

A. Virginus
and T. Vetus-
fius consuls.
Y. of Rome
259.
B. J. C.
493.

THEN A. Virginus and T. Vetusfius began to act as consuls. Upon this the commons, uncertain how the consuls would be disposed, held nightly meetings, some of them upon the Esquiline, and others upon the Aventine hill, that they might not be surprized into any hasty resolutions when they should be assembled in the forum, or take their measures inconsiderately and without concert. The consuls, rightly judging these proceedings to be of dangerous tendency, laid the matter before the senate. But they could not prevail on them to take the affair regularly under their consideration; for when the motion was made, the senators on all sides filled the

the house with clamors, and were greatly enraged, that the odium of putting the laws in execution, which belonged entirely to the consular office, should be thrown upon them. They cried out, “ That if there
 “ were really any proper magistrates at Rome, there
 “ would be only one public council there. That
 “ the republic was now divided and split into a thou-
 “ sand senate-houses and assemblies, some of which
 “ were held on the Esquiline, others on the Aven-
 “ tine hill. They affirmed with oaths, that one
 “ man of resolution, such as Appius Claudius, for
 “ he had more weight than a consul, would in a
 “ moment disperse these private meetings.” The
 consuls, nettled at these reproaches, asked the senate
 what they should do, assuring them they would ex-
 ecute their decrees with the utmost vigor and dis-
 patch. The senate immediately resolved that they
 should push on the levies briskly, the people being
 grown riotous through idleness. When the house
 broke up, the consuls ascended their tribunals and
 called over the names of the young men. But none
 of them made any answer, and the people standing
 round them, as if they had been summoned to an as-
 sembly, said, “ That they would no longer be im-
 “ posed on by the senate. They should never
 “ lift one soldier, till the public faith was made
 “ good. That they should restore their liberty, be-
 “ fore they gave them arms, that they might fight
 “ for their country and fellow citizens, and not for
 “ arbitrary lords.” The consuls fully understood
 the orders they had received from the senate, but
 they saw none of those, who had talked so big with-
 in the walls of the senate-house, present themselves
 to take any share with them in the public odium.
 They found also that they were like to have
 a hot dispute with the commons about it. There-
 fore, before they would have recourse to extremities,
 they thought it adviseable to consult the senate a
 second time. It was no sooner moved, but the
 younger senators flocked in a hurry round the chairs
 of

of the consuls, commanding them to abdicate the consulate, and resign an office, which they had not courage to support.

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XXIX.

HAVING sufficiently tried both ways, the consuls at length said, “ Conscript fathers, that
“ you may not pretend ignorance, there is a great
“ mob assembled. We require that they who accuse us most severely of cowardice, would assist us
“ in raising the levies. Since you advise violent
“ measures, we shall proceed according to the resolution of the most intrepid amongst you.” Upon that they returned to their tribunals, and on purpose commanded one of the most factious of the people, who stood in their view, to be called upon by name. As he did not move, and the mob stood round him in a ring, to prevent his being seized, the consuls sent a lictor to lay hold of him. When the mob repulsed the officer, the fathers, who were present, exclaimed against it as an intolerable insult, and ran in a hurry from their seats to assist him. But the multitude having only hindered the lictor from seizing the man, then turned their resentment against the senators; but the riot was quelled by the interposition of the consuls. And as no stones or darts were thrown in the scuffle, there was more noise and angry words, than mischief done. The senate was called in great disorder, and the affair laid before them in greater. Such as had been repulsed, called out for a question, and the most violent members declared their sentiments no less by their clamors and noise than by their votes. At length, when their passion subsided, and the consuls had upbraided them with their conduct, by telling them that the same phrenzy prevailed in the senate as in the forum, the house began to return to order. There were three different opinions offered: P. Virginius proposed,
“ that the act of grace should not comprehend all
“ the debtors, but should extend only to those who
“ relying on the promise of P. Servilius the consul,
“ had



“ had served in the war against the Arunci and Sa-
 “ bines.” Titus Largius was of opinion, “ That
 “ it was not now a proper time to reward servi-
 “ ces only. He said, all the people were drowned
 “ in debt, and that a stop could not be put to these
 “ disorders, if there was not a general release. And
 “ that if any of them were excepted out of the act,
 “ the divisions would rather be thereby enflamed
 “ than composed.” Appius Claudius who was na-
 turally severe, and, by the hatred of the com-
 mons and praises of the fathers, was become quite
 intractable, said, “ That these audacious riots pro-
 “ ceeded from licentiousness, and not from any real
 “ grievances. That the people were wanton and
 “ not oppressed. That this terrible mischief took
 “ its rise from the law which allowed appeals to
 “ them. That the consuls could only threaten but
 “ had really no authority, while offenders might
 “ appeal from them to those who were associates in
 “ the crime. Come, added he, let us create a
 “ dictator from whom there lies no appeal, and this
 “ flame, which hath set every thing on fire, shall
 “ immediately be extinguished. Let any one dare
 “ then to beat a lictor, when he shall know that
 “ his back, and even his life, are in the power of that
 “ person whose authority he has affronted.”



MANY thought Appius's opinion, as it really
 was, too severe and violent. On the other hand,
 that of Virginius and Largius opened a way for dan-
 gerous precedents; especially that of the latter, which
 they thought would ruin all manner of credit. The
 opinion of Virginius was reckoned more moderate,
 and a happy medium between the other two. But
 by force of party-spirit and self-interest, which always
 have and will eternally obstruct every design that is
 calculated for the public good, Appius had a majo-
 rity of his side, and was near being created dictator:
 which step would certainly have alienated the com-
 mons at this dangerous juncture, when the Volsci,

CHAP. the Æqui^a and the Sabines happened to be all in
 XXX. arms at the same time. But the consuls and senators
 took care to commit this office, which was of itself
 unlimited, to a moderate man; for they chose Ma-
 nius Valerius, the son of Volesus, dictator. The peo-
 ple, though they saw that this magistrate was creat-
 ed to keep them in subjection, yet as they had got
 the right of appeal by his brother's law, dreaded
 nothing oppressive or tyrannical from that family.
 Their hopes were afterwards confirmed by an edict of
 the dictator's, which was almost the same with that
 published by the consul Servilius. But they judged
 it safer to confide in him and in the absolute power
 with which he was vested, and therefore they lifted
 themselves without any opposition. Ten legions
 were levied, which was a greater army than had ever
 been raised before. Each of the consuls had three
 legions assigned him, and the dictator commanded
 four. Nor could the war be staved off any longer,
 for the Æqui had made incursions upon the lands
 of the Latines whose deputies begged the Romans
 either to send them assistance, or to allow them to
 arm in their own defence. It seemed more adviseable
 to send forces to protect them, than to allow them
 to defend themselves by taking up arms. Where-
 fore Vetufius the consul was sent to their assistance,
 which immediately put a stop to the devastations of
 the enemy, who retired from the champaign country,
 and depending more on the advantage of the ground,
 than on the strength of their arms, secured them-
 selves by keeping on the tops of the mountains. The
 other consul marched against the Volsci, and being
 unwilling to waste time, by ravaging their lands with-
 out mercy, challenged the enemy to pitch their camp
 nigh to his, and to come to an action. Both armies
 stood in battalia before their lines in a plain between

^a The Æqui were a people of La-
 tium, situated between the Sabines,
 the Marſi, the Hernici and the La-
 tines. Virgil calls them Æquicolæ;

Ptolomy, Æquiculi; and Pliny, Æ-
 quiculani. They inhabited a part of
 the Campagna di Roma round about
 Sublaco and the Teverone.

the two camps. The Volsci were somewhat superior in number, which made them despise the enemy and run forward to charge them. The Roman consul neither made his men advance, nor suffered them to return the enemy's shouts: he ordered them to stand still with their spears fixed in the ground, and when the enemy came up, to draw their swords and fall upon them with all their force. The Volsci being spent with running and shouting, set upon the Romans as if they had been quite dispirited through fear; but when, contrary to their expectations, they found they vigorously returned their charge, and saw their swords glittering before their face, they turned their backs in great disorder, as if they had fallen into an ambuscade. But their strength was so spent with running to engage the enemy that they were not able to fly. The Romans on the other hand, as they had not stirred from their ground in the beginning of the action, being fresh and vigorous, immediately overtook the Volsci who were quite spent and weary. They took their camp by assault, and after driving them thence, pursued them to ^b Velitræ, into which the conquered and conquerors entered at the same time. By the promiscuous slaughter which was here made of all ranks, there was more blood spilt than in the battle. A small number of them, who threw down their arms and surrendered, had quarter given them.

DURING these transactions amongst the Volsci, the dictator was employ'd against the Sabines, who were the most powerful enemy the Romans had. Them he routed and pursued to their camp, which he likewise took. He had broke the main body of their army, by charging them with his cavalry; for by extending their wings too far, they had not made their ranks close enough in the center. The foot fell upon them in this confusion, their camp was taken and the war ended

^b An ancient city of the Volsci, now Velitri.

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at one blow. This was the most memorable battle since the action at the lake Regillus; and the dictator entered the city in triumph. Besides the usual honors, a distinguished place with a curule chair was allotted to him and his descendants, at the celebration of the public games in the Circus. The lands of Velitræ were taken from the conquered Volsci, and a colony sent from Rome thither. Soon after there was an engagement with the Æqui, but contrary to the inclinations of the consul, because it was difficult to come at the enemy, who were very advantageously posted. But the soldiers complaining that the war was on purpose spun out, that the time of the dictator's authority might expire before they returned home to the city, and so his promises might be rendered ineffectual, as those of Servilius had been, forced him rashly to march his army up the hill. This imprudent step, by the cowardice of the enemy, was crowned with success; for before the Romans came within reach of a dart, the Æqui, quite amazed at their bravery, abandoned their camp, which was situated in a very strong place, and ran down into the vallies that lay behind them. In it abundance of booty was found, and the victory was gained without any bloodshed. After all these brave exploits, and three different wars successfully ended, both the fathers and the people were extremely solicitous about the event of their domestic disputes. But the usurers had beforehand so concerted their measures, that by their interest and artful management they not only balked the people of their hopes, but even the dictator himself. For Valerius, after the return of the consul Vetustius, before he proceeded to any other business, made a motion in favor of the victorious commons, and proposed a bill for the relief of insolvent debtors. But his motion being rejected, he said, " I find, that I offend
 " you by advising peaceable measures. By Hercules,
 " you will soon wish that the Roman people had
 " patrons like me. As for my self, I will not any
 " longer



“ longer deceive my fellow citizens nor will I bear
 “ the office of dictator in vain. Intestine broils and
 “ foreign wars made this office necessary for the
 “ preservation of the state. We have made peace
 “ with our neighbours, but our domestic quiet is ob-
 “ structed by you. I shall choose rather to be a
 “ spectator of these dissensions, in a private station,
 “ than to be concerned in them as dictator.” Up-
 on this he went out of the house, and abdicated
 his authority. The plebeians saw plainly the reason
 of his conduct, and that he was greatly vexed at the
 disappointment they had met with, and had resigned
 his office on that account. Wherefore as he had
 done his utmost to serve them, they conducted him
 home with loud shouts and acclamations, as if he had
 actually discharged his promise.



UPON his resignation the senate were afraid, that
 if the army should be disbanded, the commons would
 again begin to hold secret meetings and form plots.
 For this reason, though the levies had been made
 by the dictator, yet because the legions had taken
 the oath ^a to the consuls, they thought they were
 still bound to obey them, and on pretence that the
 Æqui had renewed the war, ordered them to be
 led out of the city. This occasioned an immediate se-
 dition. It is said that the soldiers at first had some
 thoughts of killing the consuls to free themselves
 from their oath; but being informed that no criminal
 means could loose them from their obligation, by
 the advice of one Sicinius, without any orders from
 the consul, they withdrew to the sacred ^b mountain,
 on

^a The military oath was so essen-
 tial in inlisting men, that no Roman
 could serve in the army even as a
 volunteer, or kill an enemy, till he
 had bound himself by a solemn pro-
 mise to obey his general. Tully tells
 us, off. b. i. that Cato wrote to
 Pompilius to inform him that his son
 could not continue in the army,
 without taking the military oath a-

gain; because the time of his former
 engagement was expired.

^b This mountain lay beyond the
 Teverone, three miles from Rome,
 on the Nomantine way between Sa-
 binia and Latium in the place where
 Castello di San Silvestro now stands.
 There are several reasons assigned,
 why it was called Mons Sacer. Some
 say it was so named, because it be-

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on the other side of the Anio, three miles from the city. This account is more universally believed than that of Piso, who says, they retired to the Aventine hill. Having fortified their camp with a moat and rampart, they continued quiet for several days without any general, and neither gave nor received any provocation, nor did they take any thing but what was necessary for their subsistence. The city was in the utmost consternation, and through mutual fear of one another, both parties were unresolved what course to take. The commons who had been left in it by those of their party, dreaded the severity of the senators, who, on the other hand, not knowing whether the commons would choose to stay or go, were equally afraid of them. They asked one another how long the seceders would remain quiet? What would be the consequence, if any foreign war should break out in the mean time? They owned, that there were really no hopes of saving the state, but by reuniting it; and for that reason the people were to be reconciled and made their friends at any rate. In pursuance of this resolution, they agreed to send as a deputy to them Menenius Agrippa, who was a good speaker and beloved by the commons, as being born of a Plebeian family. When he was admitted into the camp, he is said to have told only the following fable, in that rough and unpolished manner which was usual among the ancients.

“ On a time, when the members of the human body
 “ were not united under the same head, but had
 “ each of them a distinct understanding and lan-
 “ guage, the other parts were offended that they
 “ should undergo so much toil, labor and drud-
 “ gery for the sake of the belly; whilst it being
 “ placed in the midst of them, indulged it's ease

came execrable by the revolt of the people. But this seems to be a forced interpretation, and not agreeable to the history. Others say, that it was so called, because the people after they were reconciled to the Patricians, erected an altar upon it to Jupiter Fau-

nus as a monument of their re-union. But perhaps it was so called, because that sacred law was here made which gave rise to the tribunes of the people, and made their persons inviolable.

“ and

“ and did nothing but enjoy the pleasures which
 “ they procured for it. Upon this they conspired
 “ that the hand should not carry the meat to the
 “ mouth, nor the mouth receive what was brought
 “ to it, nor the teeth chew it. That while they
 “ through resentment designed to starve the belly,
 “ these very members and the whole body languish-
 “ ed away. That upon this it appeared that the
 “ belly was of no small service, and nourished the
 “ other parts no less, than it was nourished by them;
 “ and that after digesting the food, it conveyed
 “ to all the parts of the body, by means of the
 “ veins, that blood duly prepared by which we
 “ live and are preserved in vigor.” By comparing
 this intestine sedition among the members of the hu-
 man body, with the resentment of the people against
 the senate, he is said to have softened their minds.

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THEN they begun to treat about a reconcilia-
 tion, and among other conditions, the people were
 allowed to have proper magistrates of their own,
 whose persons were to be sacred, and who were to
 protect them against the power of the consuls. The
 senators were likewise declared incapable of being
 elected into that office. Upon this, two tribunes^a of
 the

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^a The authority of the tribunes was very extraordinary: for, though at first they pretended only to be a sort of protectors of the commons, and redressers of public grievances, yet afterwards they usurped the power of doing almost whatever they pleased, having the whole populace to back and secure them: and therefore they assembled the people, preferred laws, made decrees, and executed them upon the magistrates themselves; and sometimes commanded the very consuls to be carried to prison: and were, without question, the authors of far greater animosities between the nobles and commons, than they were at first created to appease.

That which gain'd them the greatest security, was their reputation of being *sacrosancti*, which they confirm'd

by a law: so that 'twas reckon'd the highest act of impiety to offer them the least injury, or so much as to interrupt them when they were speaking. Their interposing in matters determin'd by the senate, or other magistrates, was call'd *intercessio*, and was perform'd by standing up, and pronouncing only one word, *VE TO*.

As for the ensigns of their office, they had no *prætecta*, *lictors*, nor curule chair; and only a sort of a beadle, whom they call'd *viator*, went before them.

Sylla the dictator was the first who dar'd put a stop to the encroachments of the tribunes; but they soon recover'd their old power again, till the time of the emperors, who left them very little but the name and shadow of magistrates: this they effected,

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Sp. Cassius
and Posthu-
mus Comi-
nius consuls.
Y. of Rome
260. Before
J. C. 492.

the people were created, who were C. Licinius and L. Albinus, and they chose three colleagues for themselves. Sicinius, the ring-leader of the mutiny, is said to have been one of them; but historians are not agreed about the other two. Some of them say, that there were only two tribunes elected on the sacred mountain, and that the law^b, whereby their persons were made sacred, was enacted there. During the secession of the commons, Sp. Cassius and Posthumus Cominius begun their consulship, and this year a treaty was concluded with the Latine nations. One of them staid at Rome to ratify it, and the other, being sent against the Volsci, routed the Antiates, drove them into the town Longula^c, and made himself master of it. Then he took Polusca^d, another city belonging to them, and after that laid close siege to Corioli^e. There was at that time in the camp, among the young noblemen, one C. Marcius, a youth of abilities and personal bravery, who was afterwards surnamed Coriolanus. He happened to be on guard, when the legions of the Volsci, marching from Antium, fell suddenly upon the Roman army engaged in the siege of Corioli, and solely intent upon the motions of the townsmen pent up in the city, because they were under no apprehension of any enemy from without. The besieged made a sally at the same time. But Marcius, at the head of a choice body of men, not only repulsed those who sallied from the town, but furiously rushed in at a gate which they

fects, as by several means, so particularly by obliging the people to confer the same power and authority on themselves: whence they were said to be *Tribunitiâ potestate donati*: for they could not be directly *Tribuni*, unless their family had been *Plebeian*.

^b The law, whereby the persons of the tribunes was made sacred, i. e. inviolable, ran thus: let the tribune of the people be exempt from all the servile offices imposed on the citizens. Let none of them be laid upon him, but by his own consent. Let no one strike him, or

cause another to strike. If any offend in this, let him be execrable, and his goods appropriated to the worship of Ceres. If any one kills him, any person that will may kill the murderer with impunity.

^c See below, note on Corioli.

^d Ibid.

^e There are no traces of this city now remaining. We only know that it was near the Pontinalacus, not far from Longula and Polusca, formerly two considerable cities in the country of the Volsci, whose situation is not exactly known.



had opened, and having put to the sword every body that he met with in the nearest part of the city, he hastily snatched up some fire, and threw it upon the buildings that overlooked the wall. The cries of the townsmen, and the shrieks of the women and children, upon the breaking out of the flames, encouraged the Romans, and disheartened the Volsci, who found the city taken which they had come to relieve. Thus they put the Volsci to flight, and made themselves masters of Corioli at the same time. And so much was the reputation of the consul eclipsed by the gallant behaviour of Marcius, that if the treaty made with the Latines by Sp. Cassius alone, in the absence of his colleague, and engraven on a pillar of brass, had not been a lasting proof that Posthumus Cominius commanded in the war against the Volsci, his concern in that expedition would have been quite forgotten. This year Mene-nius Agrippa died, a man who had been all his life beloved both by the senate and people, but much dearer to the latter after their secession. And though he had been a mediator between his fellow-citizens, and the decision of their disputes had been referred to him, though the senate had sent him as their delegate to the commons, and though he had brought them back into the city, yet he had not wherewithal to defray the expences of his funeral. He was buried at the charge of the people, who for that purpose assessed themselves, each in the sixth part of an as^f.



T. Geganius
and P. Mi-
nucius con-
suls.

Y. of Rome
261. Before
J. C. 491.

T. Geganius and P. Minucius were elected consuls for the following year. And though the state was disturbed by no foreign enemy, and all domestic troubles were composed, it was distressed by a calamity more grievous than either. During the secession of the commons, the tillage of the lands had been neglected, and this made provisions at first dear; this

^f The Roman as was in value three farthings one tenth English money.

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M. Minucius
and A. Sem-
pronius con-
suls.
Y. of Rome
262. Before
J. C. 490.

^a This country was so called from the Pontine lake. It lay in that part of Latium which is bounded on the east, partly by the rivers Ufens and Amazinus, and partly by the city of Anxur or Terracina; on the south by the Tyrrhenian sea, and the promontory of Circeum; on the west by the river Astura; and on the north by the cities of Norba and Setia. Before this part of Latium was drowned by the overflowings of the Nymphæus,

the Amasena, the Astura, and the Ufens, it was thought the garden of Italy both for pleasure and fertility. Pliny, b. 3. chap. 5. says there were twenty three cities in it, which are supposed to have been swallowed up by inundations, or overturned by earthquakes.

^b Norba in Latium stood upon an hill where the Nymphæus rises. The natives call it Norma to this day.

it was a proper time for oppressing the commons, and recovering those rights which they had extorted from the senate by their secession and violence. Among the zealous sticklers for this opinion, were Marcius Coriolanus a declared enemy to the power of the tribunes. He said, “ If the people desire to have corn at the old price, let them restore to the fathers their ancient privileges. Why should I, as if I had been put under the yoke, and ransomed from robbers, see these plebeian magistrates; why do I see Sicinius invested with power and authority? Why should I bear these insults longer than it is necessary? Shall I, who did not endure king Tarquin, suffer Sicinius? Let him secede and draw the people after him: the way is open to the sacred mountain, and to other hills. Let them take our corn by force out of the fields, as they did three years ago. Let them now enjoy and reap the benefit of that scarcity, which they have occasioned by their own madness. I dare affirm, that the tillers of our lands will be so effectually tamed by this calamity, that they will not, by taking up arms a second time, and making a new secession, for the future prevent their being tilled.” It is not so easy to judge, whether this method ought to have been taken, as to be convinced it was in the power of the senate, who, upon condition of lowering the markets, might have delivered themselves from the tribunician power, and all the other laws that had been imposed upon them.

THIS speech appeared to the senate too severe, and did so exasperate the commons, that they had like to have taken up arms. They said “ they were distressed by famine, as if they were enemies, and defrauded even of victuals and the necessaries of life. That foreign corn, the only food they had to depend on, and which fortune had sent them unexpectedly, must be snatched out of their mouths,

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“ mouths, unless the tribunes were delivered up to
 “ C. Marcius bound ; and unless he was allowed to
 “ wreak his cruelty on the backs of the commons of
 “ Rome. That he was started up to be a new exe-
 “ cutioner, who would oblige them either to die, or
 “ become slaves.” The mob would have fallen up-
 on him as he went from the house, if the tribunes
 had not very seasonably appointed him a day to take
 his trial. This allayed the violence of their fury.
 Every one saw himself judge and master of the life
 and death of his enemy. Marcius at first heard with
 contempt the threats of the tribunes ; he said that
 they had a power of granting relief to the distressed,
 but no authority of inflicting punishments, and that
 they were the tribunes of the commons, and not of
 the fathers. But the people were in such a ferment,
 that the senators were obliged to put themselves out
 of danger, by giving up one of their body to be pu-
 nished. Nevertheless they opposed his condemnation
 with the utmost zeal, and every one of them ex-
 erted his utmost interest both in a public and private
 capacity to save him. And first they tried if it was
 possible to dissipate the storm, by disposing his clients
 in such a manner, as to deter the people one by one
 from coming to their meetings and cabals. Then all
 the senate went in procession with such marks of
 sorrow and concern, that one would have thought
 they had all been arraigned, and with the most pres-
 sing instances, begged the people, that if they would
 not acquit him on account of his innocence, they
 would, at their intercession, forgive one fellow-citi-
 zen, one senator, even if he should be found guilty.
 But as he did not appear on the day appointed
 for his trial, they persisted in their resentment a-
 gainst him. Being condemned in his absence, he went
 into exile among the Volsci, breathing revenge against
 his country, and even carrying with him his hostile
 intentions. At his coming the Volsci received him
 kindly, and their civilities to him encreased daily in
 proportion,

proportion, as his resentment against his native country appeared, and as they observed him often to complain and threaten vengeance against it. He was entertained by Attius Tullus, who was by far the most considerable man among the Volsci, and had always bore an aversion to the Romans. As the one was prompted by hatred of a long standing, and the other spurred on by fresh resentment, they consulted together about making war upon them. They believed it would be no easy matter to engage the Volsci to take up arms which they had so often tried with very bad success. They considered that their spirits were broke by the frequent wars they had been engaged in, and more especially on account of the great number of their young men whom the late plague had swept off; and as the hatred between the two nations was worn out by length of time, they judged that some stratagem and address would be necessary, in order to inflame their minds by some fresh indignity.

IT happened that they were preparing to renew the Great Games at Rome, which was done for the following reason: during the celebration of them, one morning before the shews begun, a certain master had obliged his slave to carry a cross and whipt him through the middle of the circus^a. Nevertheless the games were

^a Among the Romans it is agreed, that the cross was the punishment for slaves; and Juvenal says it expressly in these words:

*Pone crucem servo. Meruit quo crimine servus
Supplicium?*

Yet the masters were not allowed to crucify their slaves by their own authority. At Rome the magistrates, who were called the *Triumviri Capitaes*, condemned the slaves. In the provinces this right belonged to the presidents, such as was Pontius Pilate at Jerusalem. The cross and the furca are commonly taken for the same thing in authors; though, properly speak-

ing, there was a great difference between them. The furca is divided by Lipsius into *ignominiosa* and *pœnalis*: the former Plutarch describes to be that piece of wood which supports the thill of a waggon: he adds, that it was one of the greatest penances for a servant who had offended, to take this upon his shoulders and carry it about the neighbourhood; for whoever was seen with this infamous burden, had no longer any credit or trust among those who knew it, but was called *furcifer* or rogue by way of ignominy and reproach. Furca pœnalis was a piece of wood much of the same shape as the former, which was fastened about the convicted person's neck,

CHAP.

xxxvi.

were begun, as if there had been nothing ominous in this matter. Not long after, one Tib. Atinius, a commoner, had a dream in which he imagined Jupiter told him, “That the person who had danced before the sports began, had displeased him; and unless the games were renewed with the utmost magnificence, the city would be in danger. That he should go and inform the consuls of these things.” Though he had some scruples of conscience about it, yet he was so ashamed to approach the majesty of the consuls with a story that might expose him to the ridicule of every body, that this passion got the better of his fear. This delay cost him dear, for he lost his son within a few days. And that he might not be long in the dark about the cause of this sudden calamity, the same vision presenting itself to him in his sleep, when he was uneasy in his mind about it, seemed to ask him several times, “If he had been severely enough punished for slighting the deity? that a greater punishment was ready to fall upon him, if he did not go quickly and tell the consuls.” This made a stronger impression upon him than the first; but while he demurred about it, and put it off, he was seized with a violent distemper, attended with extreme weakness. Then indeed the wrath of the Gods roused him to his duty: for being tired out with his past calamities and present sufferings, after advising with his nearest relations, and informing them what he had heard and seen, he declared how Jupiter had appeared to him in a dream, and how severely he had felt the threats and wrath of the Gods in the misfortunes that had befallen him: by the unanimous consent of all present, he was carried out into the forum, to the consuls, in a litter. He was conveyed thence into the senate-house by their o

neck, he being generally either scourged to death under it, or lifted up by it upon the cross. Lipsius makes it the same with the patibulum, and fancies that, for all the name, it might not be a forked piece of timber, but

rather a streight beam, to which criminals arms were fastened, he stretched out upon it, and which he hoisted up at the place of execution served for the transverse part of cross.



der, and after he had told the same things there, to the great surprize of all present, another prodigy happened; for it is reported, that this man, who was carried thither deprived of the use of all his limbs, walked home again upon his legs.



THE senate decreed, that the games should be celebrated with the utmost magnificence. By the persuasion of Attius Tullus, a great number of the Volsci came to see them. Before the shews were begun, as he had concerted with Marcius at his own house, he came to the consuls and intimated, that he wanted to communicate to them, in private, some things which concerned the publick tranquillity. When they were alone by themselves, he addressed them as follows: “It is with the utmost reluctance that I would say any thing of my countrymen which may seem harsh. I don’t come to charge them with any crime they have as yet committed, but to warn you to be on your guard against them for the future. The tempers of our people are more fickle than I could wish them. This we have severely felt by the many defeats we have received; for it is owing to your patience, and not to our deserts, that we now remain a people. There are at this time in Rome a great number of the Volsci. The games will soon begin, and the citizens will be intent upon the shews. I remember well the riot which the Sabine youth committed on a like occasion in this place. I tremble for fear our people should rashly and unadvisedly raise any disturbance. I thought it proper to say this much to you, consuls, both on our account and yours. As for myself, I intend to return home immediately, lest by remaining on the spot I should be witness to any unbecoming actions or abusive words.” Upon this he departed. After the consuls had laid before the senate this information, which looked indeed a little suspicious, and produced their author, his credit, more than the nature of the information,

CHAP.
xxxvii.



information, induced them to take some unnecessary precautions: for the senate having made a decree, that the Volsci should depart out of the city, the public criers were commanded immediately to order them to be gone before night. At first, as they run to their lodgings in different parts of the city to fetch their things, they were under a terrible panic. But when they were upon the road, their indignation was kindled, upon reflecting, that, like persons impious and unclean, they had been in holiday time debarred from beholding the games, and as it were driven from the communion of Gods and men.

CHAP.
xxxviii.



THEY returned almost in one continued body, and Tullus, who had gone before to the head of the spring of Ferentinum, met each of them as they came up, asked them questions, and expressed his displeasure at the indignity which had been offered to them; and as they listened attentively, fond of expressions which encouraged their resentment, he prevailed upon their chiefs, and by their means upon the whole multitude, to retire into a field below the road. There, as if they had been summoned to an assembly, after putting them in mind of the former injuries done them by the Roman people, and the losses the Volsci had suffered, he said, “ Though
“ you should forget all former wrongs, with what
“ temper can you bear the affront put upon you to
“ day by that people, who have begun their games
“ by branding us with open disgrace? Are you not
“ sensible that they have this day triumphed over you?
“ That when you left that city, you was a spectacle
“ to all it’s inhabitants, to all strangers in it, and to
“ so many of your neighbours? That your wives
“ and children were publicly defamed? What do you
“ suppose they thought, who heard the voice of the
“ common crier? What was the opinion of those who
“ saw you leaving the city? Or what do you imagine
“ were the sentiments of those who met this band load-
“ ed with reproach? What can they imagine, but that
“ we are an impious crew, whose very presence would
“ pollute

“ pollute the solemn games, and that we had com-
 “ mitted some great crime; for which expiation must
 “ be made, and for this reason we are driven from
 “ the abode and habitation, even the fellowship and
 “ society of the godly? What; are you not convin-
 “ ced that our safety is owing to our hasty depar-
 “ ture? If we may not rather be said to fly, than
 “ to march home again. Don’t you look upon the
 “ inhabitants of that city to be your enemies, in
 “ which, if you had tarried but one day, you must
 “ all have perished? War is declared against you,
 “ to the infallible ruin of those who have done it,
 “ if you are but men.” Upon this the Volsci, who
 were before in a rage, were quite exasperated; and
 marching thence to their different homes, enflamed
 their countrymen to such a degree, that the whole
 Volscian nation revolted.

ALL the several states, unanimously chose At-
 tius Tullus and C. Marcius, the Roman exile, to com-
 mand their armies; in the latter of whom they pla-
 ced the greatest confidence. Nor did he in the
 least deceive their hopes, but made it plainly appear,
 that the Roman state owed it’s superiority over it’s
 neighbours more to the abilities of it’s generals, than
 the bravery of it’s troops. Having marched to Circei^a,
 he first drove the Roman colony thence, and de-
 livered to the Volsci the city which he had freed
 from the Roman yoke. From thence he marched
 through the cross-ways to the Latin road; and retook
 the towns Satricum, Longula, Polusca, and Corioli,
 which the Romans had lately conquered. Then he
 made himself master of Lavinium, Corbio, Vi-
 tellia, Trebia, Labici, and Pedum. At last he led
 his army from Pedum towards Rome, and having
 pitched his camp at Cluilius’s ditch, five miles from
 it, from thence plundered the Roman lands. He
 sent out guides with the pillagers to prevent pillaging


^a A town of Campania in Italy, at the foot of mount Circello on the
 sea-coast. Now S. Felicita.

CHAP.
XXXIX.

Sp. Natus
and Sex. Fu-
rius consuls.
Y. of Rome
263. Before
J. C. 489.

the lands of the patricians, either because his resentment was chiefly levelled against the commons, or that he might raise dissention and jealousy between them and the fathers. And this artifice indeed would have had the designed effect, so violently did the tribunes inflame the people, who were of themselves enraged against the chief men of the state; but the fear of enemies from abroad, the greatest bond of harmony at home, united them, however suspicious of, and incensed against, one another. They only differed in this, that the consuls placed all their hopes in arms, and the commons chose to submit to any terms rather than risk a war. Sp. Natus and Sex. Furius were consuls this year. While they were mustering the legions, and placing guards upon the walls, and in other places, where they thought it would be proper to have centinels and guards posted, a great number of persons bawling out for peace, first alarmed them with their seditious clamors. Then they obliged them to convene the senate, and to propose the sending a deputation to C. Marcius. The senate observing the courage of the commons begin to fail, agreed to the motion, and the deputies, who were sent to Marcius, brought back this harsh answer, "That if they first restored
" the lands they had taken from the Volsci, they
" might then treat about a peace; but if they chose
" rather to sit at ease, and enjoy the conquests they
" had made in former wars, that he, who well re-
" membered the injuries done him by his countrymen,
" would do his utmost to convince them, that his
" courage was not broken, but roused by his ba-
" nishment." After this, the same persons were sent back, but they were not admitted into his camp. It is said, that the priests, dressed in their robes, went to him in a suppliant manner to beg peace, and that they made no greater impression upon him, than the deputies had done.

UPON these disappointments, the ladies went CHAP.
in a body to Veturia the mother of Coriolanus, and XL.
to Volumnia his wife. Whether this last expedient
was tried by order of the senate, or was the effect of
the womens fears, I know not. Yet it is certain they
prevailed not only with Veturia, who was an old lady,
but also with Volumnia his wife, to take with her the
two sons she had by Marcius, and to go to the enemy's
camp, and there endeavour by their tears and entrea-
ties to save that city, which they could not defend by
their arms. When they came to the camp, and notice
was brought to Coriolanus, that a great number of
women approached, as he had neither been moved
with the majesty of a public deputation, nor with the
sacred and venerable persons of the priests, when pre-
sented before him in the most affecting manner, so
at first he was more obstinately resolved not to
yield to the prayers of the women. But when one
of his officers, who knew Veturia, distinguished a-
mong the crowd by the excess of her grief, standing
between her daughter-in-law and her grandchildren,
said to him, "If my eyes do not deceive me, here
"are your mother, your wife, and your children,"
Coriolanus, almost like one distracted, and full of
anguish, leaped from his tribunal, and ran to embrace
his mother. The lady, instead of using entreaties,
burst out into a passion, and accosted him thus:
"Let me know, says she, before I receive thy em-
"brace, whether I am come to an enemy or to a
"son? or whether I am here thy captive or thy
"mother? Hath my long life and unhappy old age
"been spun out for this end, first to see thee ba-
"nished, and then the enemy of thy country?
"Hast thou been capable of ravaging the land which
"gave thee birth, and brought thee up in it's bosom?
"How violent soever thy desire of revenge might
"be, and whatever resentment thou mightest have,
"did not thy rage abate, when thou enteredst these
"territories? Did it not come into thy mind, when
N 2 "thou

CHAP. XL.  “ thou camest within sight of Rome, to say to thyself, within these walls are my house, household Gods, my mother, my wife, and my children? Had I then been childless, Rome had not been besieged. Had I never born a son, I had died free in a free country. But now I can suffer nothing that can either add to my misery or thy disgrace; and though I be now very wretched, I cannot be long so. Consider what will be the fate of these infants, who, if you persevere, must either perish by an untimely death, or live in perpetual slavery.” Then his wife and children embraced him. The tears and groans of all the Roman ladies, and the lamentation they made for themselves and their country, at length softened Coriolanus. He embraced his relations, dismissed them, soon after decamped and retired from the city. Some say, that the Volsci, highly displeased with his withdrawing his legions out of the Roman territory, put him to a violent death; but other historians say he died in a different manner. I find in Fabius, who is by far the most ancient author extant, that he lived to a great age. He relates a saying of his in the decline of life, “ That banishment was insupportable, but much more so to an old man.” The men of Rome did not envy the ladies the commendations due to them; for such was the disinterestedness of all ranks, that no body endeavoured to detract from another’s glory. And to perpetuate the memory of this important service they had done their country, a temple was built and consecrated to Female Fortune. After this, the Volsci, in conjunction with the Æqui, returned into the Roman territory; but the latter refused to submit to Attius Tullus as their general. Upon this, after contending about the nomination of a person to command the confederate army, they first quarrelled, and after that came to a smart engagement. In this action, the good fortune of the Roman people destroyed two hostile armies, in a battle that proved no less

less fatal than obstinate. The consuls for the ensuing year were T. Sicinius and C. Aquilius. The province of the Volsci fell to Sicinius, and the Hernici, who were likewise in arms, fell to Aquilius. The former were this year defeated, and the Romans had a drawn battle with the latter.

CHAP.

XL.

T. Sicinius
and C. Aquilius
consuls.
Y. of Rome
264. B. J. C.
488.

THE following consuls were Sp. Cassius and Proculus Virginius. A treaty was concluded with the Hernici, and two thirds of their lands taken from them ; one half of which the consul Cassius designed to divide among the Latines, and the other half among the commons. To this act of generosity, he added some small pieces of land, which he alledged were unjustly possessed by private persons, though they were really the property of the public. This alarmed many of the fathers, who held these lands, for fear of their personal interest ; and the senate was under great concern on account of that of the republic, being apprehensive that the consul by his liberality aimed at a power and greatness dangerous to the liberty of the state. This was the first time that the Agrarian ^a law was mentioned, which was never since brought upon the carpet without occasioning great commotions in the state. The other consul opposed the division, and was supported by the senate ; nor were the commons unanimous for it. At first they flighted a favor in which their allies were to share equally with them ; and after that, they often listened with attention to Virginius, when, as if inspired with a prophetic spirit, he declared, “ That the bounty of his colleague was

CHAP.

XLI.

Sp. Cassius
and Proculus
Virginius
consuls.
Y. of Rome
265. B. J. C.
487.

^a When the Romans had gained any considerable advantage over their neighbours, they never granted them peace till they had taken part of their land from them, which was immediately incorporated with that of Rome. Part of these conquests were sold to indemnify the state for the expences of the war. Another portion of them was distributed gratis among the poor plebeians who had no

settlement of their own. Sometimes part of them was farmed out for the benefit of the public. Rapacious patricians, solely intent upon enriching themselves, took possession of a great part of those lands by indirect methods ; and whenever any attempt was made to wrest from them any part of these possessions which they had most unjustly usurped, the republic was rent with most terrible convulsions.

CHAP.

XLI.

“ of a dangerous nature ; that these very lands would
 “ entail slavery upon those who got them ; that they
 “ served to pave the way to the crown. If it was
 “ not so, why should their allies and the Latine na-
 “ tions be made sharers with them ? With what
 “ view was the third part of the conquered lands
 “ restored to the Hernici, who were lately their
 “ enemies, but that these nations may have Cassius
 “ instead of Coriolanus for their general ?” By this
 time, both he who promoted, and he who opposed
 the Agrarian law, began to have each a party among
 the people, and the consuls vied with one another in
 making their court to them. Virginius said, that he
 would allow the partition to be made, provided none
 but Roman citizens had any share in it. Cassius, as
 he had been very earnest to give the allies of Rome a
 share of the lands, thereby found his credit greatly
 diminished among the populace ; and to recover their
 affections by another act of kindness, ordered the
 money to be reimbursed which had been received
 from the people for the corn that was brought from
 Sicily. The Romans looking upon this as a pre-
 sent bribe for procuring him the kingdom, rejected
 it with indignation ; nay an aversion to kings was
 rivetted so fast in their minds, that every body as
 heartily despised his presents, as if they had been
 made in a time of the greatest plenty. It is agreed
 on all hands, that he was condemned and put to
 death as soon as he was out of his office. Some say
 his father inflicted this punishment upon him ; and
 that after trying him at home, he whipt him to
 death, consecrated all his goods to Ceres, and with
 it erected a statue of that Goddess with this inscription,
 “ The gift of the Cassian family.” I find in some
 historians, and their account seems more probable,
 that the quæstors^b Cæso Fabius and L. Valerius ap-

^b The quæstors had the care of the finances and the keeping of the public treasure, of which they were to give account to the people after their office was expired. They had therefore a right to take care of recovering alienated sums, and proceeding against those who applied the money of the republic to their own use.

pointed him a day to answer for his treason, that he was condemned by a sentence of the people, and his house demolished by public authority. It stood in the court before the temple of Tellus. Whether he was sentenced by his father or the people, it is certain he was condemned in the consulship of Ser. Cornelius and Q. Fabius.

CHAP.

XLI.

BUT the resentment of the people against Cæsius was of no long continuance. The sweets of the Agrarian law considered in itself, and abstracted from its author, who was put to death, came fresh into their minds. That desire was likewise encreased by the injustice of the fathers, who after subduing the Æqui and Volsci, defrauded the soldiers of the plunder. Fabius sold all the booty that was taken from the enemy, and put the money into the treasury. Though the conduct of the last consul had rendered the Fabian family odious to the commons, yet the senate had interest enough to chuse L. Æmilius and Cæso Fabius into that office for the following year. The people, more highly incensed at this election, kindled a foreign war by their intestine broils. Upon its breaking out, their civil dissensions were for some time suspended, and the senate and people uniting, obtained a complete victory, under the conduct of Æmilius, over the Volsci and Æqui who had renewed the war. The enemy lost more men in their flight than in the action, so warmly did the horse pursue them. The same year, the temple of Castor was consecrated upon the thirteenth of July^a. It had been vowed in the time of the Latine war, when Posthumius was dictator, and was dedicated by his son, who was created duumvir on purpose to perform that ceremony. The minds of the people were likewise put in a ferment by the inviting prospect of the Agrarian law; and the tribunes strove to raise the reputation of their popular

CHAP.

XLII.

^a The Romans called this month *quintilis sc. mensis*, i. e. the fifth month after March, with which they began their year. It was called July in honor of Julius Cæsar.

CHAP.

XLII.

M. Fabius
and L. Vale-
rius consuls.
Yr. of Rome
266. B.J.C.
486.

office, by getting a law passed which was so much for the interest of the people. The fathers, who well knew that the commons were too apt to be enflamed of themselves when they had no view of profit, dreaded all largeesses as incitements to them to take some rash step. They were strenuously supported by the consuls in their opposition to this law, and by that means prevailed not only at this juncture, but had also interest to chuse M. Fabius, the brother of Cæso Fabius, and L. Valerius, who was even more odious to the people, by reason of his impeachment of Sp. Cassius, to be consuls for the next year. Then too they had struggles with the tribunes ; but the law was rejected, and those who moved for it, were exposed by boasting of a favor which they were not able to make good. At this time the Fabian name was in great esteem among the patricians, because they had distinguished themselves in three successive consulships by their steady uniform conduct in all their struggles with the tribunes ; and as that honorable office was thought to have been well bestowed upon them, it was continued for some time longer in that family. Then a war with the Veientes broke out, and the Volsci renewed hostilities. The Romans had strength more than sufficient to make head against their enemies, but they wasted it in their domestic broils. And while the minds of all ranks were in the greatest uneasiness, they were alarmed with celestial prodigies which almost daily foreboded some signal calamity both to city and country. The soothsayers, when consulted with, both publickly and privately, sometimes by the entrails of beasts, and at others by birds, could assign no other reason for the divine displeasure, but that the sacrifices had not been performed with the due ceremonies. And these prodigies had this effect, that Oppia the vestal virgin was condemned for incontinence, and the legal punishment inflicted upon her ^b.

^b See note on vestal virgins, book 1. chap. 20. p. 39.

THEN

THEN Q. Fabius and C. Julius were created CHAP. consuls; the civil dissensions continued as violent as XLIII. before, and the war with the neighbouring nations became hotter than ever. The Æqui took up arms, and the Veientes entered and plundered the Roman territories. As the Romans began to be more and more anxious, about the event of these wars, they chose Cæso Fabius and Sp. Furius consuls. The Æqui were besieging Ortona^a, a city belonging to the Latines, and the Veientes, glutted with plunder, threatened to besiege Rome itself. But these impending dangers, instead of quieting the minds of the people, as they ought to have done, made them more turbulent, and they returned to their old resource, of refusing to enlist themselves. This they did not of themselves, but at the instigation of Sp. Licinius the tribune, who judging the present extremities, to which the state was reduced, a proper time to impose the Agrarian law upon the senate, had undertaken to obstruct the military preparations. But the whole load of envy, to which the college of tribunes was exposed, fell upon the author of this project; for his colleagues were no less active against him than the consuls, and by their assistance the levies were completed. Two armies were raised, at the same time, for the two wars: the command of that which was to be led against the Æqui was given to Fabius, and Furius commanded the other, which was to march against the Veientes. Nothing remarkable was done against the latter, and Fabius had more trouble with his own men, than with the enemy. This man alone supported the commonwealth, while the army, through their hatred to him as consul, did all in their power to ruin it. For when the consul, besides giving very many proofs of his being an able general, both in preparing for, and

Q. Fabius
and C. Julius
consuls.

Y. of Rome
267. B.J.C.
485.

Cæso Fabius
and Sp. Fu-
rius consuls.

Y. of Rome
268. B.J.C.
484.

^a It is difficult to fix it's ancient situation exactly. Some think it stood where the present Orti or Orta now stands, at the conflux of the Tiber and Nar.

carrying

CHAP. XLIII. carrying on the war, had at this time drawn up his army so advantageously, that he routed the enemy's forces, by charging them with his cavalry alone, the foot would not pursue them, even when they were put to flight. And though the exhortations of their general, whom they hated, had not prevailed upon them, yet their own crime, the present shame to the public and after danger, if the enemy had recovered their courage, might have obliged them to quicken their pace, or, if they had done nothing else, to have kept in their ranks. Instead of this they retired without orders, and returned to their camp so sorrowful and dejected, that one would have believed they had been defeated, sometimes venting imprecations against their general, and sometimes against the cavalry, for the gallant service they had done. Nor did the consul think of remedying so great an evil, so true it is that men who excel in other respects are frequently more deficient in that address, which is necessary to govern their citizens, than in talents to conquer their enemies. He returned to Rome, but his reputation as a general was not so much raised, as the minds of the soldiers were fretted and embittered against him. The fathers however had interest enough to continue the consulship in the Fabian family; for they elected M. Fabius consul, and gave him Cn. Manlius for his colleague.

M. Fabius
and Cn.
Manlius
consuls.
Y. of Rome
269. B.J.C.
483.

CHAP. XLIV. THIS year likewise the tribune Tib. Pontificius brought the Agrarian law on the carpet. He proceeded in the same manner that Sp. Licinius had done, and hindered the levies for some short time. While this opposition perplexed the senate, Appius Claudius said, "That they had got the better of the tribunician power the year before; that at present they might do it by means of the tribuneship itself, and by following this precedent would do so for ever; seeing they had found that it could be weakened by its own strength." He affirmed, "That there never would be wanting one
" of

“ of their number, who, from a view of defeating
“ his colleagues, and conciliating the favor of the
“ well disposed citizens, would strive to promote
“ the public good. That the consuls would find
“ more tribunes ready to assist them, but that one
“ was sufficient against all the rest. That the con-
“ suls and chief of the fathers should only do their
“ endeavour, if they could not win them all, at
“ least to attach some of them to the interests of the
“ commonwealth and to the senate.” The fathers
being instructed what measures they ought to take,
by the advice of Appius, spoke all of them often to
the tribunes in the most kind and obliging man-
ner; and those who were consuls, and had private
claims against any of them, partly by their interest,
and partly by their authority, prevailed upon them
to consent to make the privileges of the tribunician
power beneficial to the republic, and by the assistance
of four tribunes against one who obstructed the pub-
lic interest, the consuls completed their levies. Af-
ter this they marched against the Veientes, to whom
auxiliaries had flocked from all parts of Etruria, not
so much with a design to assist them, as in hopes that
the Roman state would be ruined by it's intestine
broils. The leading men in the general diet of the
Lucumonies of that nation made their bravadoes,
“ That the Roman power would prove eternal, if
“ they did not, by their seditions, turn their arms
“ against one another. This was the only poi-
“ son and flaw to be found in wealthy states, by
“ which mighty empires were liable to be destroyed.
“ That this mischief, the effects of which had been
“ for a long time suspended, partly by the discreet
“ conduct of the senate, and the patience of the
“ commons, was now come to a crisis. The
“ state was split into two factions, each of which
“ had it's distinct magistrates and laws. For-
“ merly those very persons who were wont to ex-
“ claim loudly against enlisting themselves, readily
“ obeyed their officers in the field, and their ani-
“ mosities

CHAP.
XLIV.

“mosities could be quelled, whatever divisions there
 “were in the city, while their military discipline
 “was maintained; but the custom of disobeying
 “their magistrates had now followed the Roman
 “soldiers to their camp. In the very last war,
 “when the men were drawn up in battalia, and
 “in the heat of action, their foot had volunta-
 “rily resigned the victory to the Æqui after they
 “had been defeated; they had quitted their stand-
 “ards, abandoned their general in the time of the
 “engagement, and returned without his order to
 “their camp. And it was certain that if they were
 “pressed in earnest, Rome could be conquered by
 “it’s own soldiers. Nothing else was necessary
 “but to make a shew of war, the Fates and Gods
 “would readily do the rest of the business them-
 “selves.” These hopes had roused the Hetrurians
 to arms, who after a variety of fortune were in the
 course of the war often defeated and often got the
 victory.

CHAP.
XLV.

THE Roman consuls likewise dreaded nothing
 but their own forces and their own arms, and were
 terrified at the remembrance of their shameful beha-
 viour in the last war, from bringing matters to such
 a pass as to have two armies to fear at the same time.
 Therefore in order to avoid this double danger, they
 kept within their camp, hoping that time and delay
 might mollify their discontent, and bring back the
 soldiers to their duty. Upon this their enemies, the
 Veientes and the Hetrurians, acted with the greater
 precipitation. They challenged them to fight them,
 first by riding before the camp and calling upon them
 to come out. At last when they made no impres-
 sion upon the consuls and army, by insulting both,
 they said, “That they made a pretext of inter-
 “tine discord, as a cloke to their cowardice, and
 “that the consuls were more diffident of the cou-
 “rage than of the fidelity of the soldiers. That si-
 “lence and quiet among men in arms was a new
 “and

“ and strange kind of sedition.” To this raillery they added bitter reflections, partly true and partly false, upon the baseness and obscurity of their origin. As they threw out these invectives at the foot of the rampart, and at the gates of the camp, it gave the consuls no uneasiness; but shame and indignation by turns distracted the minds of the common soldiers, and made them forget their intestine broils: they were unwilling the enemy should pass unpunished, but could not bear that either the fathers or consuls should be crowned with success: the struggle was between their resentment against their foreign and domestic enemies. At length their rage against the former prevailed, the enemy had insulted them in such an haughty and insolent manner. They came in a body to the generals tent, demanded to fight, and earnestly desired the signal for battle. The consuls pretended to confer together about the part they should act, and drew out their conference to a great length. They were desirous to engage, but their desire was to be checked and concealed, that by keeping back the soldiers, while they were eager and keen to come at the enemy, they might enflame their courage. The answer they returned, was, that their demand was unseasonable, and that it was not yet a proper time to come to action, and that they should keep within their camp. Then they published a proclamation forbidding them to engage, and declaring that if any of them should fight without orders, they would treat him as an enemy. Upon their being dismissed in this manner, their ardor to fight increased the more, as they thought the consuls were averse to it. When the enemy knew that the consuls had resolved not to fight, they came up to the Roman camp in a more insulting manner than before. For they thought they might insult them without any danger; that the soldiers would not be trusted with their arms: that this delay would occasion a mutiny, which would end in the total dissolution of the Roman empire. Elated with these hopes,

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XLV.

hopes, they ran up to the gates of the camp, threw out the most provoking reproaches against the Romans, and were even upon the point of attempting to storm it. The Roman soldiers could no longer endure their insolence; they ran to the consuls from all the parts of the camp, nor did they proceed with reserve as before by the mediation of the centurions of the first rank, but almost all together demanded with loud cries to be led on to the battle, yet the consuls put it off. Then Fabius, with the consent of his colleague, who was apprehensive that this tumult would end in a mutiny, yielded to their importunities, and after commanding silence by sound of trumpet, said to him, "I know, Cn. Manlius, that these men are able to conquer their enemies, but it is owing to themselves, that I am forced to doubt whether they are willing to do it or not. Therefore I am firmly resolved and determined, not to give them the signal to battle, unless they first swear that they will return conquerors. The army once in battle, deceived the Roman consul, but will never deceive the Gods." There was among the officers one M. Flavoleius a centurion who eagerly desired to engage. This man said, "M. Fabius, I will return victorious from the battle." If he deceived them, he invoked father Jupiter, Mars Gradivus and the other incensed Deities to pour out their vengeance upon him. Then every man of the army took the same oath in his own name. When this was over, the signal being given, they took their arms and marched out to battle, big with hopes, and fired with resentment. They bid the Hetrurians now throw out their reproaches and call names, and every man challenged those who had been so ready with their tongues to meet him sword in hand. And that day in particular, both the patricians and commons behaved with the utmost bravery: but the Fabian name and family signalized themselves above all others; for as they had offended the commons by the many struggles they had had with them, about their power and rights, they were

resolved

resolved to recover their affections by their bravery in that day's action. The Roman army was immediately drawn up in battalia, nor were the legions of the Veientes and Hetrurians backward to engage.

FOR they were almost persuaded that the Romans would behave in the same cowardly manner on this occasion, that they had done against the Æqui: and flattered themselves, that at this critical juncture, while their minds were in this ferment, they would even make some more desperate attempt. But their hopes were quite disappointed. For the Roman soldiers were so much provoked by the reproaches of the enemy, and the delays of the consuls, that they engaged with more fierceness, than ever they had done before. The Hetrurians had not room enough to extend themselves, when both sides, in the first hurry and confusion, throwing their javelins at random and not waiting to aim them at the enemy, engaged hand to hand and decided the matter with their swords, when the battle is always most obstinate and fierce. Among the patricians, the Fabian family were a glorious fight, and set a noble example to their fellow citizens. One of them, Q. Fabius, who had been consul three years before, was the first who broke into the thickest of the Veientes, but as he had many enemies to deal with at once, a Tuscan proud of his strength and of his skill in arms, whom he had not observed, run him through the breast with his sword. Fabius drew the weapon out of his body, and fell down dead upon his face. Both armies were sensible of the loss of this one man, and the Romans were retiring from that place, when M. Fabius the consul leaping over his dead body, and covering it with his buckler said, "Soldiers, did you swear that you would fly back in this shameful manner to your camp? are you more afraid of your most cowardly enemies, than of Jupiter and Mars by whom you have sworn? But, O Q. Fabius, I who have bound myself by no oath, will either
" return

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“ return victorious or die fighting near you.” Upon this, Cæso Fabius, who had been consul the year before, said, “ Do you imagine, by these words, brother, to prevail on the soldiers to fight? The Gods by whom they have sworn, will do it. Let us rather by our deeds, than by our words, as becomes persons of the highest rank, and by a conduct worthy of the Fabian name, inspire our soldiers with resolution.” As soon as he had spoke, the two Fabii, with their lances in their hands, flew to the foremost ranks, and with them the whole battalion advanced.

CHAP.

XLVII.



THE battle being thus renewed in one wing, the consul Cn. Manlius, with no less bravery, encouraged the soldiers in the other, where fortune almost took the same turns. For as the men briskly followed Q. Fabius in the one, they with equal resolution followed the consul Manlius in the other, who had almost entirely routed the enemy, driving them before him; but he happening to be dangerously wounded, and retiring from the battle, they imagined he was killed, and so they drew back. And they had certainly retreated, if the other consul had not galloped thither with some squadrons of horse, and by crying aloud that his colleague was alive, and that he himself having routed the other wing of the enemy, was come to their assistance, recovered the fortune of the battle, when it was inclining to the other side. Manlius likewise, in order to animate the battle, appeared at the head of his men, whose courage was revived upon seeing the two consuls. The enemy's army was likewise weakened, for confiding to the superiority of their numbers, they withdrew their body of reserve, and sent it to storm the Roman camp. As they carried it with small resistance, they wasted their time in gathering the plunder, and were little concerned about the event of the battle. In the mean time the Roman triarii^a, or body of reserve, who had

no

^a The whole Roman infantry was divided into four sorts, velites, hastati, principes, and triarii. The velites were commonly for

not been able to stand the first charge, after sending an account to the consuls of what passed in the camp, returned in a full body to the generals tent, and of themselves renewed the fight. Besides the consul Manlius riding back to the camp, by posting soldiers at all the gates of it, had cut off the enemy's retreat. Despair inspired the Hetrurians, rather with fury than courage. For after having several times in vain endeavoured to force their way, wherever they expected to get out, a body of young fellows set upon the consul, distinguished by the splendor of his arms. The first darts were warded off by those who stood about him; but at length the violence of the assailants prevailed. The consul, mortally wounded, fell dead from his horse, and all his party about him was routed. The Hetrurians upon this took heart, and an universal consternation filled the Roman camp. And they had been entirely defeated, if the lieutenant generals had not carried off the consul's body and opened a passage to the enemy, through one of the gates, where they rushed out, and marching off in confusion, fell in with the other consul, who had defeated the enemy on his side. Here many of them were put to the sword, and the rest entirely routed. The Romans gained a glorious victory, but their joy was greatly lessened by the loss of these two gallant men. For this reason, the consul, when the senate decreed him a triumph, answered, "That if the army could


of the tiro's, or young soldiers, of mean condition, and lightly arm'd. They had their name *a volando*, or *a velocitate*, from their swiftness and expedition. They seem not to have been divided into distinct bodies or companies, but to have hover'd in loose order before the army.


The hastati were so called, because they us'd in ancient times to fight with spears, which were afterwards laid aside, as incommodious; these were taken out the next in age to the velites.

The principes were generally men

of middle age, and of greatest vigor; 'tis probable, that before the institution of the hastati, they used to begin the fight, whence they borrow'd their name.

The triarii were commonly veterans, or hardy old soldiers, of long experience and approved valor. They had their name from their position, being marshalled in the third rank, as the main strength and hopes of their party. They are sometimes called pilarii, from their weapon the pila.

CHAP. XLVII.  triumph without a general, he would most readily consent that they should enjoy that honor, on account of the signal services they had performed in that war; but while his family was mourning for the death of his brother, and while the republic was, in some measure, in the state of an orphan, by the loss of one of her consuls, he could not accept the laurel, disfigured both with public and private grief." The refusal of a triumph added more to his honor, than any triumph could have done, so much does a proper neglect of glory sometimes exalt it. After this, he performed the obsequies of his colleague and brother. On both occasions, he pronounced the funeral orations, and by bestowing upon them the praises due to their merit, secured to himself the greater share of them. And in effect of a resolution, he had formed from the beginning of his consulship, which was to gain the affections of the people, he distributed the wounded men among the senators to be cured. The greatest number of them were assigned to the Fabii; nor were any more exact in their care of them. From this time that family became popular, but by no other arts, than what were consistent with the public interest.

CHAP. XLVIII.  CÆSO FABIVS, being advanced to the consulship with T. Virginius, as much by the zeal of the commons, as the interest of the fathers, resolved, before he engaged in levies, wars or any other business, to exert himself to the utmost, that, as there were already some hopes of a reconciliation between the patricians and plebeians, it might be perfected as soon as possible. For this end, in the beginning of the new year, he proposed, that the senate should anticipate any petition of the tribunes for the Agrarian law, by doing their duty, and dividing the lands, as equally as they could, among the commons. For it was certain they were the persons that ought to enjoy them, who had purchased them at the expence

Cæso Fabius
and T. Virginius
consuls.
Y. of R. 273.
B. J. C. 479.

of their blood, and the sweat of their brow. The fathers rejected the motion; and some of them complained that the lively spirit, which Cæso had formerly exerted, was become luxuriant and effeminate through excessive glory. The city was free from all civil dissensions the remaining part of the year. The Latines were harassed by the Æqui, who made incursions upon their lands. Cæso being sent against them, with an army, advanced into their country to pillage it. Upon this, the Æqui retired into their towns, and confined themselves within their walls, which prevented any remarkable action. But by the rashness of Virginius, the other consul, the Veientes gave the Romans a terrible defeat, and the army had been all cut off, if Cæso Fabius had not come seasonably to their relief. From this time, the Romans had neither peace nor war with them; for they behaved more like robbers than declared enemies. They fled from the Roman legions into their capital, and when they found they were retired, made inroads into the Roman territories; and thus they avoided defeating the ends of war by feigned submissions and pretended peace, and interrupted peace by acts of hostility. Wherefore that war could neither be entirely neglected, nor finally decided. Besides other nations, such as the Æqui and Volsci, who never remained longer quiet, than till they had forgot their last loss, were upon the point of declaring war against the Romans; and it was very probable, that the Sabines, their constant enemies, and all Hetruria, would speedily arm against them. But the Veientes, who were rather a constant, than a powerful enemy, gave them more uneasiness by their rapines, than the danger of their arms. For the Romans were obliged to be continually on their guard against them, and could turn their arms against no other enemy. In this situation of affairs the Fabian family went to the senate, and the consul, in the name of the rest, addressed that assembly as follows:

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XLVIII.

“ Conscript fathers, said he, you know very well,
“ that it requires rather a constant than a strong
“ garison to defend you against the Veientes. Do
“ ye take care to carry on other wars, and leave
“ the Veientes, your enemies, to the Fabian family.
“ We undertake to preserve the majesty of the Ro-
“ man name free from all insults on that side. Our
“ purpose is to carry on this war at our private ex-
“ pence, as if it were only a family war. Let the
“ republic be freed from furnishing men and money
“ on that score.” The senate thanked them in the
kindest manner. And the consul leaving the house,
went home attended by a number of the Fabii, who
had waited in the porch, till they should know the
resolution of the senate. After they had received
orders to rendezvous next day at the consul’s gate,
they went to their own houses.

CHAP.
XLIX.

THE report of this generous resolution flew
through the city. Every body extolled the Fabii
to the skies. They were filled with admiration, to
find that one family should have taken upon them
the burden of the state, and that the war with the
Veientes would be carried on at the expence and
by the arms of private persons. They said, if there
were but two other families equal to the Fabii in
strength, and the one should demand the war a-
gainst the Volsci, and the other the war against the
Æqui, all the neighbouring nations would be sub-
dued, and the Roman people at the same time en-
joy a profound tranquillity. The Fabii in arms ren-
dezvoused the next day at the place appointed.
The consul coming out into the porch of his house
in his military habit, saw all his family drawn up
in order, and being received in the middle of them,
commanded them to march. Never did an ar-
my, fewer in number, more glorious in renown,
or more universally admired, march through the
city. Three hundred and six soldiers, all patricians
of the same stock, all capable to command brave
armies,

armies, on any occasion, went out of the city, threatening destruction to the people of Veii, with the strength of their single family. They were followed by a body of their relations, friends and companions, whose thoughts were employ'd about no ordinary prospects or objects of hope or fear, but the greatest and noblest views. Another excited by public concern, and transported with admiration and love for them, "wished they might go on with courage and success, and that the event might be answerable to their glorious undertaking. Bidding them hope for consulships, triumphs, all the rewards and all the honors they could bestow." As they passed by the capitol, citadel and other temples, they prayed to all the Gods, which either presented themselves to their view, or occurred to their thoughts, to bless and prosper that army, and to grant them a happy and speedy return to their country and parents. But all these prayers proved ineffectual. They marched out by an unlucky way to the right of the temple of Janus, through the gate Carmentalis^a, and advanced to the river Cremera^b. This they judged a convenient post to fortify and garison. Then L. Æmilius and C. Servilius were chosen consuls. While both sides did nothing but plunder each others lands, the Fabii were not only sufficient to repel the Veientes, but by sending out flying parties through all the country, where the Hetrurian lands were joined to the Roman territories, they protected their own frontiers, and ravaged the enemy's. But the Veientes did not long allow them to continue their devastations; for they sent for an army out of Hetruria, to besiege the garison at Cremera. L. Æmilius the consul advancing with the Roman legions, came to a close engagement with them. Nor had the Veientes time to draw up their men; for, amidst the first hurry and confusion, while they were drawing up their

L. Æmilius
and C. Servilius
consuls.
Y. of R. 274.
B. J. C. 478.

^a So called from Carmenta the prophetess, the mother of Evander.

^b It is supposed to be the small

river that now runs out of the lake Baccans, and falls into the Tiber five miles from Rome.

CHAP.

XLIX.



troops in order of battle, and posting a body of reserve, a wing of the Roman cavalry charged them so suddenly in flank, that they had not room to form their lines, far less to begin the battle. By this means they were routed, and retreating to the red rocks, where they had pitched their camp, they sued for peace in a submissive manner. It was granted them, yet such was the natural inconstancy of their tempers, that they repented that they had asked it, before the Roman garison was withdrawn from Cremera.

CHAP.

L.



THEN the Fabii, without raising any more forces for that purpose, renewed the war with the Veientes. Nor did they only ravage the frontiers, or make sudden incursions upon their lands, but they engaged several times with them in pitched battles, and upon fair ground. And one Roman family often obtained victories over a people, who were at that time the most powerful of the Hettrurian nations. These defeats the Veientes considered at first as a great disgrace and indignity. Afterwards they formed a design of surprizing their haughty enemies in an ambuscade, as soon as an opportunity offered, and were glad to find that the forwardness of the Fabii was increased by their repeated victories. With this view, when they went out to pillage, they several times drove herds of cattle in their way, as they were ravaging the country, but so as it might seem they had lighted upon them by accident. The peasants fled, and left a great part of the country waste, and when parties of soldiers were sent out to prevent their plundering it, they retreated oftener through a counterfeit, than a real fear. And now the Fabii entertained so mean an opinion of the enemy, that they thought them unable at any time or on any ground to oppose their victorious arms. Elated with these hopes, upon seeing some herds of cattle in a plain, at a great distance from Cremera, though they observed some small parties of the enemy nigh, they run down from the fort to carry them off. When they had inadvertently passed the ambuscade
which

which was planted on both sides of the way, and were dispersed in pursuit of the cattle, that, as commonly happens when struck with fear, were straggling through the fields, the enemy rose suddenly out of the ambuscade, and appeared in the front and on all sides of them. The Veientes terrified them with the first shout which they raised, and then poured darts upon them from every quarter. As the several parties of the Hetrurians closed with one another, the Fabii were surrounded by one entire compacted body, and the more they were pressed by the enemy, were obliged to contract their own circular body within the narrower space. This crowding of their ranks both discovered the smallness of their numbers and the great superiority of the enemy. Then they gave over charging the Hetrurians, which they had done with equal fury on all sides; and made a bold push with all their strength at one place. They drew up in form of a wedge, and with the weight of their bodies and the dints of their swords, opened themselves a passage through the enemy, that led by an easy ascent to the side of a little hill, where they first halted. As soon as the advantage of the ground had given them leisure to take breath, and recover from their surprize, they repulsed the aggressors, and by the convenience of their post, had got the better of them, if the Veientes had not fetched a compass, and possessed themselves of the top of the little hill. By this means the enemy had the advantage of the ground; the Fabii were all killed to a man, and the fort was taken. It is agreed on all hands, that three hundred and six of them were cut off, and that there only remained one boy about fourteen years of age, as a stock to the Fabian family, and who was afterwards by his counsel in the senate, and conduct in the field, to save the Roman people in their greatest distress.

CHAP.

L.

THIS calamity happened in the consulship of C. Horatius, and T. Menenius. The latter was immediately sent against the Hetrurians, who were flushed

CHAP.

LI.

CHAP.

LI.

C. Horatius
and T. Mene-
nius consuls.
Y. of R. 275.
B. J. C. 477.

A. Virginius
and Sp. Ser-
vilius con-
suls.
Y. of R. 276.
B. J. C. 476.

with their victory. They likewise defeated him, and took the fort Janiculum. And as the Hettrurians had crossed the river, and the city was distressed with want of provisions, it had certainly been besieged, if Horatius the consul had not been recalled from the Volscian war. Nay, this war was brought so close to the walls, that in the first battle, which they fought at the temple of Hope, the victory was doubtful. They had a second engagement at the gate Collina, and though the Romans had but small advantage in it, yet that raised their former courage, and made them behave better in every future action. Then A. Virginius and Sp. Servilius were created consuls. The Veientes, after their late defeat, declined coming to a battle. They plundered the country, and from the fort Janiculum made incursions upon the Roman lands round about it. The peasants and cattle were no where safe. At length they were caught by the same stratagem, by which they had entrapped the Fabii; for having pursued some herds of cattle, which had been sent out on purpose to decoy them, they fell headlong into the ambuscade. As they were more in number, the slaughter was the greater. The violence of their resentment for this loss, proved the beginning and cause of a greater; for having passed the Tiber in the night, they attempted to storm the camp of Servilius the consul; but they were routed with great slaughter, and with difficulty got back to the fort Janiculum. The consul immediately crossed the river, and fortified his camp, at the foot of the hill. The next morning at day break, a little flushed with his success the day before, but determined to it more by the want of provisions, which led him to the most expeditious measures, however dangerous, he inconsiderately marched his army up the hill to the enemy's camp, who drove him thence, more shamefully than he had drove them the day before; but by his colleague's coming up, both he and his army were saved. The Hettrurians were en-

enclosed between the two armies, and while they endeavoured to run from both, were entirely cut off. And thus ended the war with the Veientes, by this step which was rash in it's undertaking, but successful in the event.

CHAP.


LI.


THE city no sooner enjoyed peace, but provisions became cheaper, for corn was brought from Campania, and the citizens being delivered from the fear of future scarcity, brought out that which they had hid and hoarded up. After this, plenty and ease soon made them turn riotous; for as they had no disturbance from abroad, they endeavoured to revive their old contentions at home. The tribunes put the commons in a ferment, by the Agrarian law, which was a poison they had recourse to on every occasion. They inflamed them against the senators who opposed it, nor did they only excite their resentment against the whole body of them, but even against particular men. Q. Confidius and T. Genucius, who proposed and supported the Agrarian law, cited T. Menenius to take his trial. The charge brought against him was, that he had suffered the fort at Cremera to be taken by the enemy, though his camp lay but at a small distance from it. And though the senators used all their interest for him, and were as active to save him as they had been to save Coriolanus, the commons condemned him, even before they had entirely forgot the favors which his father had done them. The tribunes however changed his sentence into a fine, for though they had sentenced him to die, after his condemnation, they only fined him in two thousand asses of brass^a. This cost him his life. For it is said, that, being unable to bear this disgrace, his grief on account of it brought on him a distemper, which soon cut him off. They likewise arraigned another senator Sp. Servilius, as soon as he was out of his consulship, and in the consulship of C. Nautius and P. Valerius, in the very be-

CHAP.

LII.

^a 5 lib. sterling.C. Nautius
and P. Valerius consuls.
Y. of R. 277.
B. J. C. 475.

CHAP. LII.  ginning of the year, the tribunes L. Cædicius and T. Statius appointed him a day to take his trial. But he did not, like Menenius, descend to make mean supplications to the commons, nor did he suffer the fathers to intercede for him, but being confident of his own innocence, and relying upon his personal interest, boldly stood all the attacks of the tribunes. His indictment was founded on the battle, that he had fought with the Hetrurians at Janiculum. But being a man of a daring, forward temper, he behaved with the same intrepidity in his own case, as he had done in a battle; and confuted not only the tribunes, but also the commons, in a bold speech, upbraiding them with the condemnation and death of T. Menenius, by the favor of whose father they enjoyed these very magistrates and laws, which made them at that time so insolent and cruel. And thus, by his resolute behaviour, he dispelled the storm. Virginius his colleague, who was brought as a witness likewise, defended him by sharing his services with him. But what contributed most to save him, was their being ashamed of the sentence they had passed on Menenius, so much were their minds altered in regard to him.

CHAP. LIII.  WHEN their domestic troubles were over, war broke out with the Veientes, with whom the Sabines had joined their arms. P. Valerius the consul, having sent for auxiliaries from the Latines and Hernici, was dispatched with an army to Veii, and immediately attacked the Sabine camp, which they had pitched before the walls of their allies. This struck them with so great a consternation, that they were dispersed and broken; and while they run in companies different ways to repel the enemy, the gate where the attack begun was carried by the Romans. Within the ramparts it was rather a continued slaughter than a fight. The confusion reached the city, and the Veientes being terrified, run to arms as if Veii had been taken. Some of them advanced to assist the Sabines

Sabines, and others of them charged the Romans, who exerted all their strength and fury against the camp. This put them in disorder, and obliged them to fall back for a little while, but some of them soon faced about, and making a double front, made head against them both. The consul likewise commanded the horse to charge the enemy, and by them the Hetrurians were soon routed and put to flight. And thus were two armies defeated, and two of the most powerful neighbouring nations subdued at the same time. During these transactions at Veii, the Æqui and Volsci had encamped themselves in the Latine territories, and pillaged their country. The Latines, joined by the Hernici, had, without a Roman general, or any assistance from Rome, drove them out of their camp. They not only recovered their own goods, but also took a vast booty. Nevertheless C. Nautius the consul was sent from Rome against the Volsci: for, I suppose, they were unwilling that it should become a precedent for their allies to make war without both a Roman general and army. They distressed the Volsci with all the rigors of war, and loaded them with all manner of indignities, but after all could not force them to come to a battle.

THEN L. Furius and C. Manlius were elected consuls. The Veientes fell to Manlius as his province, but the war was not continued. They sued for a truce, which was granted them for forty years, upon condition of paying a yearly tribute and a certain quantity of corn. The Romans were no sooner at peace with their neighbours, but they revived their domestic broils. The tribunes egged on the commons by the bait of the Agrarian law: but the consuls not being in the least discouraged by the condemnation of Menenius, nor the danger of Servilius, opposed it with all their might. When they were out of their office, Genucius the tribune impeached them. L. Æmilius and Opiter Virginus entred upon

L. Furius
and C. Man-
lius consuls.
Y. of R. 278.
B. J. C. 474.

L. Æmilius
and Opiter
Virginus
consuls.
Y. of R. 279.
B. J. C. 473.

CHAP.

LIV.



the consulship. In some annals, I find Vopiscus Julius mentioned as consul, instead of Virginius. But whoever were the consuls, it is certain that Furius and Manlius, after they were arraigned, went about in a mourning habit supplicating the people; nor were they more assiduous in their application to the commons than to the younger senators, whom they advised, “not to intermeddle with the honors and
 “administration of the public affairs, but to look
 “upon the consular fasces, the toga prætexta, and
 “the curule chair, as nothing else than so much
 “pomp prepared for their funeral. That being
 “adorned with these glittering ensigns, as with so
 “many fillets, they were destined to be sacrificed.
 “But supposing the consulship had so many sweets
 “and allurements, they ought to consider, that the
 “consuls were now oppressed by and made the tools
 “of the tribunician power; nay were obliged to do
 “every thing according to the will and pleasure of
 “tribunes, as if they were serjeants who attended
 “them to execute their orders. If they had the
 “least thoughts of freeing themselves from this
 “yoke, of restoring the power to the senate, or
 “establishing any other authority in the republic than
 “that of the people, they ought to cast their eyes
 “on the banishment of C. Marcius, and the con-
 “demnation and death of Menenius.” The fathers, enflamed with these violent speeches, no longer concerted measures publicly, but held secret meetings, and made very few privy to their designs. As they were unanimous for rescuing the persons accused either by right or wrong, the most violent methods proposed pleased them best. Nor were persons wanting to advise the most desperate measures. In consequence of this, when the day for their trial was come, and the people stood in the forum in great hopes of seeing them condemned, they wondered at first that the tribune did not come to the assembly; but when his long delay made them begin to suspect him, they believed that he was frightened by the senators,

nators, and complained that he had deserted and betrayed the public cause. At length the people, who had been going up and down in great numbers before his door, brought word that he was found dead in his own house. And this report was no sooner spread through the assembly, but as an army is put to rout by the death of their general, so they all stole away by different ways to their own houses. The tribunes were most terrified; for the death of their colleague convinced them that even the laws, which made their persons sacred, were insufficient to protect them. Neither did the fathers bear their joy with sufficient moderation; and they were so far from shewing any remorse for the crime they had committed, that those who had no hand in it were desirous to be thought the actors of it; and they declared in all companies, that the power of the tribunes was to be kept under by chastising them.

IMMEDIATELY upon the back of this victory, which set a most fatal precedent, a muster was appointed; and as the tribunes were dispirited, the consuls completed their levies without any interruption from them. Upon this, the people were more provoked at the silence of their tribunes, than the commands of the consuls, and said, “That their liberty was lost; that they were returned to their former slavish condition; that the tribunician authority had died and been buried at the same time with Genucius; that they ought now to think of some other method, to defend themselves against the senators; that the only way was for them to do this themselves, seeing they could find no body else that would protect them; that the consuls were attended by twenty-four lictors, who are commoners; that nothing was weaker than their power, if there were but men who would dare to despise their authority, which every body is apt to magnify in their imagination, and represent as terrible.” After they had inflamed one another

with

CHAP. with these discourses, it happened that the consuls
 LV. sent a lictor to one Volero Publilius a commoner,
 who had been a centurion in the army, and for that reason declared, that he could not be compelled to serve as a common soldier. Volero called upon the tribunes to protect him. But as no body assisted him, the consuls commanded him to be stript and the rods to be got ready. Volero said, “ I appeal
 “ to the people, because the tribunes choose rather
 “ to see a Roman citizen whipt before their face, than
 “ expose themselves to be murdered by you in their
 “ beds.” The louder he bawled, the greater haste the lictor made to tear and cut off his clothes. But Volero being stronger than he, and assisted by those whom he called to his relief, repulsed the lictor, and hurrying into the thickest of the crowd, where every one with the loudest cries expressed their resentment of the outrage done them in the person of Volero, he bawled out, “ I appeal, and implore the protection of the
 “ people ! assist me, citizens ! my fellow-soldiers, assist
 “ me ! You have no ground to hope for aid from
 “ the tribunes, who want your protection for them-
 “ selves.” The people in the highest ferment took to their arms, as if they had been preparing for a battle ; and it was evident that matters were in the utmost danger, and neither persons in public nor private stations were safe. The consuls came to dispel the storm ; but they were soon convinced that the dignity of their office, without a sufficient force, was insufficient to protect them. For after the lictors were beaten, and the fasces broken, they were driven out of the forum into the senate-house, and were quite uncertain how far Volero would push his victory. When the heat of the tumult was over, they ordered the senators to be summoned to the house, complained of the assault that had been made upon them, of the insolence of the commons, and the audaciousness of Volero. After many violent speeches, the elder senators, who were against opposing the
 passionate

passionate measures of the patricians to the rashness of the commons, at length prevailed.

VOLERO became the favorite of the commons, CHAP. and at next election they created him tribune. L. LVI.
 Pinarius and P. Furius were consuls that year. But
 though every body imagined that he would have employed the whole force of the tribunician power to harass those who had been consuls the year before ; yet he preferred the public interest so far to his own private resentment, that without so much as using one harsh expression against them, he proposed a bill to the people, that the plebeian magistrates should be chosen in the comitia by tribes. This was a motion of no small importance, though at first sight it appeared not to affect the senate much, for by it the patricians lost their power of choosing what persons they pleased for tribunes, by the suffrages of their clients. This law was very acceptable to the commons ; and though the fathers opposed it with all their vigor, yet neither could the authority of the consuls, nor the interest of the chief men of the patricians, prevail on any one of the college of tribunes to interpose, though that was the only power that could obstruct it ; but as it was a weighty and important affair, they wrangled about it, till the year was out. The commons chose Volero tribune a second time. The fathers imagining that the matter would be brought to the last push, chose for consul Ap. Claudius the son of Appius, who had been an enemy to the commons, and inherited his father's hatred to them. T. Quinctius was given him for his colleague. The law was the first thing brought upon the carpet in the beginning of the year. And as Volero, who first proposed it, continued to support it, so his colleague Lætorius, though he had not appeared for it so early, now exerted himself with greater vigor in defence of it. As no man of the age had more personal courage or bravery than he, his renown in war made him bold and forward.

For,

L. Pinarius
 and P. Furius
 consuls.
 Y. of R. 280.
 B. J. C. 472.

Ap. Claudius
 and T. Quinctius
 consuls.
 Y. of R. 281.
 B. J. C. 471.

CHAP.

LVI.

For, though Volero threw out no invectives against the consuls, but confined his discourse entirely to the nature of the law, Lætorius begun with accusing Appius and his family of excessive pride and cruelty to the people; and affirmed, that the senators had not created a consul, but an executioner to plague and torment the commons. This rough soldier wanted words to express his thoughts, and equal to the freedom which he took. Wherefore when his expression failed him, he said, “O Romans, seeing I do not speak with
 “so much ease as I can perform what I promise,
 “come hither to-morrow; I shall either die here
 “in your fight, or have the law passed.” The tribunes possessed themselves of the temple the next day, and the consuls and the nobility were assembled to oppose the law. Lætorius commanded every body to be removed, except the voters. There stood some young noblemen in the way who would not withdraw, when they were ordered by the serjeant. Lætorius commanded some of them to be seized. The consul Appius asserted, that a tribune had no authority over any body but a plebeian, and that he was not the magistrate of the senate, but of the people; and that he himself had no power to remove them according to former precedents, because the form of addressing them is, “Depart hence,
 “Romans, if you think it proper.” He designed to confound Lætorius by talking with great freedom and contempt of his authority. Upon this the tribune in a transport of passion sent his serjeant to the consul, and the consul sent his lictor to the tribune, calling out aloud that he was a private person, that he was not a magistrate and had no authority; and the tribune had certainly suffered violence, if the whole assembly who were highly provoked at the behaviour of Appius, had not taken part with Lætorius against the consul, and if great numbers of the commons, alarmed with the account of what had happened, had not flocked thither from all parts of the city. Yet Appius stoutly stood the storm with
 the



the utmost obstinacy ; and the quarrel had certainly ended in a bloody battle, if Quinctius, the other consul, had not charged the senators of consular dignity to remove his colleague out of the forum by force, if they could not do it by any other method, while he sometimes by earnest entreaties endeavoured to appease the enraged multitude, and at others begged the tribunes to dismiss the assembly, and give their passion time to subside. He said, that time would not in the least abridge their authority, but add further degrees of wisdom to direct it. And assured them, that the senate would yield to the authority of the people, and that the consul would be controlled by the senate.



IT was no easy matter for Quinctius to quiet the commons, but the fathers found it far more difficult to appease the other consul. At length, after the assembly of the people was dismissed, the consuls convened the senate. Fear and resentment prevailing by turns, at first produced a variety of sentiments ; but the more time they took to consider the matter calmly, they were the less inclined to contend with the commons. Quinctius had the thanks of the house, for his activity in quelling the riot and maintaining the peace. They begged of Appius, “ That he would not screw the consular dignity higher than was consistent with the harmony and tranquillity of the two orders of the state.” They said, “ That while the tribunes and consuls strove each to engross the whole power to themselves, the public strength was entirely weakened. The commonwealth was distracted and torn in pieces by their factions and disputes, while both sides only contended for the chief direction of affairs, and never thought of the preservation of the state.” Appius, on the other hand, “ called Gods and men to witness, that they abandoned and betrayed the public interest through fear and cowardice ; that the consul had not been wanting to the senate,

CHAP. LVII. “but the senate to the consul; that harder terms would be imposed upon them, than those concerted in the sacred mount.” At last he was prevailed upon, by the united entreaties of the fathers, to be silent, and the law passed without any more noise.

CHAP. LVIII. THEN were the tribunes first chosen in the comitia by tribes. Piso supposing that there had been only two of them before, says, that three were added to the number, and that their names were C. Sicinius, L. Numitorius, M. Duilius, Sp. Icilius, and L. Mecilius. During these disturbances at Rome, a war with the Volsci and Æqui broke out. They had laid waste the Roman lands, with a view to induce the commons, if they should make a secession, to retire to them for shelter; but when they saw that all differences were composed, they decamped and led back their armies. Ap. Claudius was sent against the Volsci; the province of the Æqui fell to Quinctius's lot. Appius behaved in the same arbitrary manner abroad in war, that he had done at home in peace; only he exercised his tyranny with less reserve, as he was freed from the restraints of the tribunes. His hatred to the commons rose even higher than that of his father, because he had been lately defeated by them; and though he had been singled out as the only proper consul to oppose the power of the tribunes, yet a law had passed during his administration, which the preceding consuls, from whom the senators had not near so great expectations, had prevented with less struggle and opposition. These thoughts spurred on his haughty and imperious temper to torment the army by the severity of his orders; but so great was the aversion they had contracted to him, that he could not conquer them by any means. They did every thing slowly, indolently, negligently, and with a spirit of mutiny. Neither fear nor shame could prevail on them to do their duty. If he ordered them to march with expedition, they would go slower on purpose. If he stood by them

them to encourage and forward the work, they would work slower than they had done before of their own accord. When he was present they hung down their heads, and cursed him in whispers as he passed by; so that even his haughty spirit, which the hatred of the commons could not subdue, was sometimes moved by their behaviour. But when all the severe methods he could invent made no impression upon the soldiers, he said the army was corrupted by the centurions: whom he would sometimes scoffingly call tribunes of the people, and sometimes Voleros.

CHAP.
LVIII.

THE Volsci had intelligence of all this, and pressed the Romans more closely, in hopes that their army would carry their resentment as far against Appius, as they had done against the consul Fabius. But their aversion to the former was much greater than to the latter. For they were not like the army under Fabius, unwilling to conquer, but even willing to be conquered. When they were led on to battle, they fled in a shameful manner back to their camp; nor did they stand to their defence before they saw the Volsci making a terrible slaughter on their rear, and beginning to force their lines. Then indeed were they forced to fight, in order to drive the victorious enemies from their lines; but it was very plain, the Roman soldiers designed no more than to save their camp from being taken. Some of them rejoiced at their disgrace, and the loss they had suffered. Yet after all that had happened, the haughty spirit of Appius remained undaunted, and summoned them to an assembly, determined to vent his rage and cruelty on the whole army. But his lieutenant-generals and tribunes ran to him, and advised him not to put his authority to the trial, since it's whole force depended on the consent of those that obey. That the soldiers openly refused to go to the assembly, and were heard loudly demanding that he should decamp out of the territories of the Volsci. That the victorious enemy had a very little be-

CHAP.
LIX.

CHAP. fore not only come up to the gates of the camp,
 LIX. but even attacked their lines, and there was not
 only reason to suspect, that some terrible danger
 was hanging over them, but even the strongest ap-
 pearances of it were clearly to be seen. Overcome
 at last by these remonstrances, though the army got
 nothing by it, but the delay of their punishment, he
 put off the assembly, commanding them to be ready
 to march next morning, and accordingly gave the
 signal to decamp, by sound of trumpet, at day
 break. When the army was drawn out of the
 camp, and formed for a long march, the Volsci,
 who had been roused by the same signal, fell upon
 their rear. From it the alarm reached the fore-
 most, and the terror it spread, occasioned such
 confusion among the ranks and companies, that
 the troops could not hear the commands of their
 general, nor draw up in order of battle. None
 thought of any thing but making their escape, so
 that they fled with great precipitation over heaps
 of dead bodies and arms, and the enemy gave over
 the pursuit, before the Romans ceased to fly. At
 length when the soldiers were drawn together again,
 the consul, who during this scattered rout had fol-
 lowed them closely, and called upon them in vain
 to turn and face the enemy, pitched his camp in
 a safe place, and having assembled the army, just-
 ly upbraided them with throwing off all regard to
 military discipline, and deserting their colors. He
 asked the soldiers one by one, who stood unarm-
 ed, what was become of their arms, and likewise
 enquired of the standard-bearers, who had lost their
 ensigns, what was become of their colors. Then
 the centurions, and those that had a double allow-
 ance of provisions, who had quitted their ranks,
 he scourged and beheaded. The remainder of the
 army cast lots, and every tenth man of them was
 put to death.

THE army sent against the Æqui behaved in a quite different manner; for the consul and the soldiers vied with one another, in courtesy and acts of kindness. Quinctius was naturally more mild and gentle, and the unhappy effects of his colleague's cruelty had engaged him to follow more closely his own disposition. This very good understanding between the Roman general and the army so terrified the Æqui, that they dared not shew themselves in the field, and they suffered the enemy to ravage their lands at pleasure. Quinctius made as much booty as had been got in any former war with that people, and gave it all to the soldiers. To this gift he likewise added praises, which give them no less sensible pleasure than rewards. By these means, the army returned to Rome, perfectly reconciled to their general, and on his account to the patricians. They said that the senate had given them a father to command them, and to the other army a cruel master. This year the Romans had various success in war, and violent feuds both at home and abroad; but the most memorable thing that happened in it was the law which ordained, that the tribunes of the people should be chosen in the comitia by tribes. This affair was more remarkable for the victory that was gained over the violent opposition that was made to it, than for any real advantage it was to the people. For the loss the comitia suffered in its dignity, by the exclusion of the fathers from that assembly, was more considerable than any new power the people acquired, or the senate lost thereby.

CHAP.

LX.

L. Valerius and Tiberius Æmilius were consuls the following year, when the commotions run higher than ever, both on account of the feuds between the different orders of the state, about the Agrarian law, and also upon account of the trial of Ap. Claudius. For, as if he had been chosen consul a third time, he violently opposed the law, and strenuously supported

CHAP.

LXI.

L. Valerius
and Tiberius
Æmilius
consuls.
Y. of R. 282.
B. J. C. 470.

CHAP. the cause of the possessors of the public lands. And
 LXI. for that reason M. Duilius and C. Sicinius appointed
 him a day to answer for his conduct. Never was
 any accused person cited before the people, more
 universally hated by them; as he was extremely ex-
 posed to their resentment both on his own and his
 father's account. Never did the senate strive so hard
 to save any of their order. For they saw, with the
 utmost regret, the guardian of the senate, the aven-
 ger of their dignity, the defender of their rights
 against the attacks of the tribunes and commons,
 given up to the rage of the people, and that on-
 ly for having a little exceeded the bounds of mo-
 deration, in the heat of the dispute. Appius was
 the only one of the senators, who despised the tri-
 bunes, the people and his own impeachment. Nei-
 ther the threats of the commons, nor the entreaties
 of the senate could ever prevail upon him so much
 as to change his habit, or in a suppliant manner
 to solicit his judges, nay he could not even be in-
 duced, in making his defence, to soften or abate any
 of his usual bitterness of stile. His behaviour was
 still the same, he retained the same fullness in his
 aspect, and breathed the same spirit in his speech;
 so that the greatest part of the people were no less
 awed by him, when cited before them as a criminal,
 than they dreaded him before when consul. He
 pleaded his cause once, and did it with his usual air,
 that is to say rather as an accuser, than a person ac-
 cused. And astonished the tribunes and people so
 much by his resolution, that of their own accord
 they put off his trial to another day, and after that
 suffered the time to be prolonged. Not long af-
 ter he died of a disease, before the day appointed.
 The tribunes attempted to hinder the pronouncing
 of his funeral oration; but the commons being more
 equitable, would not suffer so great a man to be de-
 prived of this usual honor. And they heard his praise
 after his death with as favorable an ear, as they
 had heard his accusation during his life, nay, great
 numbers of them assisted at his funeral.

THE same year Valerius the consul marched with his army against the Æqui, and when he could not draw them to a battle, attempted to storm their camp. He was prevented from taking it, by a terrible storm accompanied with thunder and hail. But the calm and fair weather, which immediately followed upon his sounding the retreat, encreased their wonder; for they thought some deity had interposed to save the camp, and were restrained by a religious dread, from endeavouring to force it a second time. They vented their resentment upon them by ravaging their lands. The other consul Æmilius made war upon the Sabines, who confined themselves within their walls, and for that reason he laid waste their country, by burning not only the farm houses, but even large and populous villages. Then the Sabines were forced to come out of their strong holds, and meeting with the Roman pillagers, had an engagement with them; but parted leaving the victory undecided, and the next day retired with their forces to a secure place. This the consul looked upon as a sufficient victory obtained over the enemy, and upon their retreat returned home, leaving the war unfinished.

CHAP.
LXII.

DURING these wars, and the civil commotions at Rome, T. Numicius Priscus and A. Virginus were chosen consuls. The commons seemed resolved not to suffer the Agrarian law to be put off any longer, and were preparing to exert their utmost efforts, when the flight of the peasants, and the smoke of the farmhouses set on fire, informed them of the near approach of the Volsci. This invasion suppressed the sedition which was now ripe and just upon the point of breaking out. The senate obliged the consuls to march immediately against the enemy, and after the young men were led out of the city, the rest of the people were quiet and peaceable. The Volsci indeed, after alarming the Romans with a groundless fear, without attempting any thing further, retreated quickly out

CHAP.
LXIII.

T. Numicius
Priscus and
A. Virginus
consul.
Y. of R. 283.
B. J. C. 469.

CHAP. of their territories. Numicius marched to Antium
 LXIII. against them, and Virginius marched against the Æ-
 qui. There the consul was drawn into an ambuscade,
 and had like to have lost his army, if the bravery of
 his men had not extricated him from that difficulty,
 whereinto his want of care had plunged him. But
 the war with the Volsci was more prudently con-
 ducted; for they were routed in the first battle, and
 fled to Antium, which was a very rich city. Numicius
 not daring to besiege it, took Cenon another city be-
 longing to the Antiates, but not so wealthy as An-
 tium. While the Romans were employed against
 the Æqui and Volsci, the Sabines entered their ter-
 ritories and advanced to the very gates of the city,
 plundering the country. To chastise their insolence
 in a few days both the consuls entered their territory,
 and made large reprisals upon them.

CHAP. IN the end of the year the city had some respite
 LXIV. from war, but the peace was eternally disturbed by
 contests between the patricians and plebeians. The
 commons, to shew their resentment against them, re-
 fused to appear at the comitia for the election of
 consuls. The senate and their clients chose T. Quin-
 ctius and Q. Servilius consuls. The first part of the
 year was disturbed by domestic factions, which were
 stifled upon the breaking out of a foreign war. The
 Sabines having made a hasty march through the ter-
 ritory of Crustumium, ravaged all the country a-
 bout the river Anio with fire and sword, and though
 they were repulsed, after coming up almost to the
 walls of the city, and the gate Collina, yet they car-
 ried off vast numbers of men and cattle. The con-
 sul Servilius pursued them with an hostile army, but
 not being able to come up close with them on even
 ground, he committed the most terrible devastations
 in their country; he let nothing escape the calamities
 of war, and returned home with a prodigious booty.
 In the mean time the war with the Volsci was car-
 ried on successfully by the good conduct of the ge-
 neral,

T. Quinctius
 and Q. Servi-
 lius consuls.
 Y. of R. 284.
 B. J. C. 468.

neral, and the bravery of the soldiers. They engaged first in a plain: the battle was very bloody, and many were killed on both sides. And the Romans, the smallness of whose numbers made their loss more sensibly felt, would at last have given way, if the consul, by a well-timed fiction, had not revived the courage of his army. For he cried out that the other wing of the enemy was fled, and upon this his men charged them and conquered, because they thought themselves victorious. But being afraid the enemy would rally, if he pursued them too far, he founded a retreat. For some days all hostilities ceased, and both armies remained inactive, as if they had secretly consented to a truce. During this time great numbers of men, from the several nations of the Æqui and Volsci, came into the enemy's camp, not doubting, but if the Romans should get intelligence of their coming, they would march off in the night. For this reason they came at the third watch to storm the camp. Quinctius, after he had allayed the fear, which this sudden terror had struck into his men, ordered them to continue quiet in their tents, and take their rest, and led out of the camp a body of the Hernici for an advance guard. He likewise caused the trumpeters, and the blowers upon the horn, to mount on horseback, to blow from time to time before the rampart, and to keep the enemy in a constant alarm till day light. The rest of the night every thing was so quiet in his camp, that the Romans had enough of sleep. The appearance of this body of infantry in arms, whom the Volsci supposed to be Romans, and to be more numerous than they were; the noise and neighing of the horses, which, unaccustomed to their riders and frightened with the sound of their instruments, were very intractable, kept them as close upon their guard, as if they had expected every moment to be attacked by the enemy.

WHEN

CHAP.

LXV.

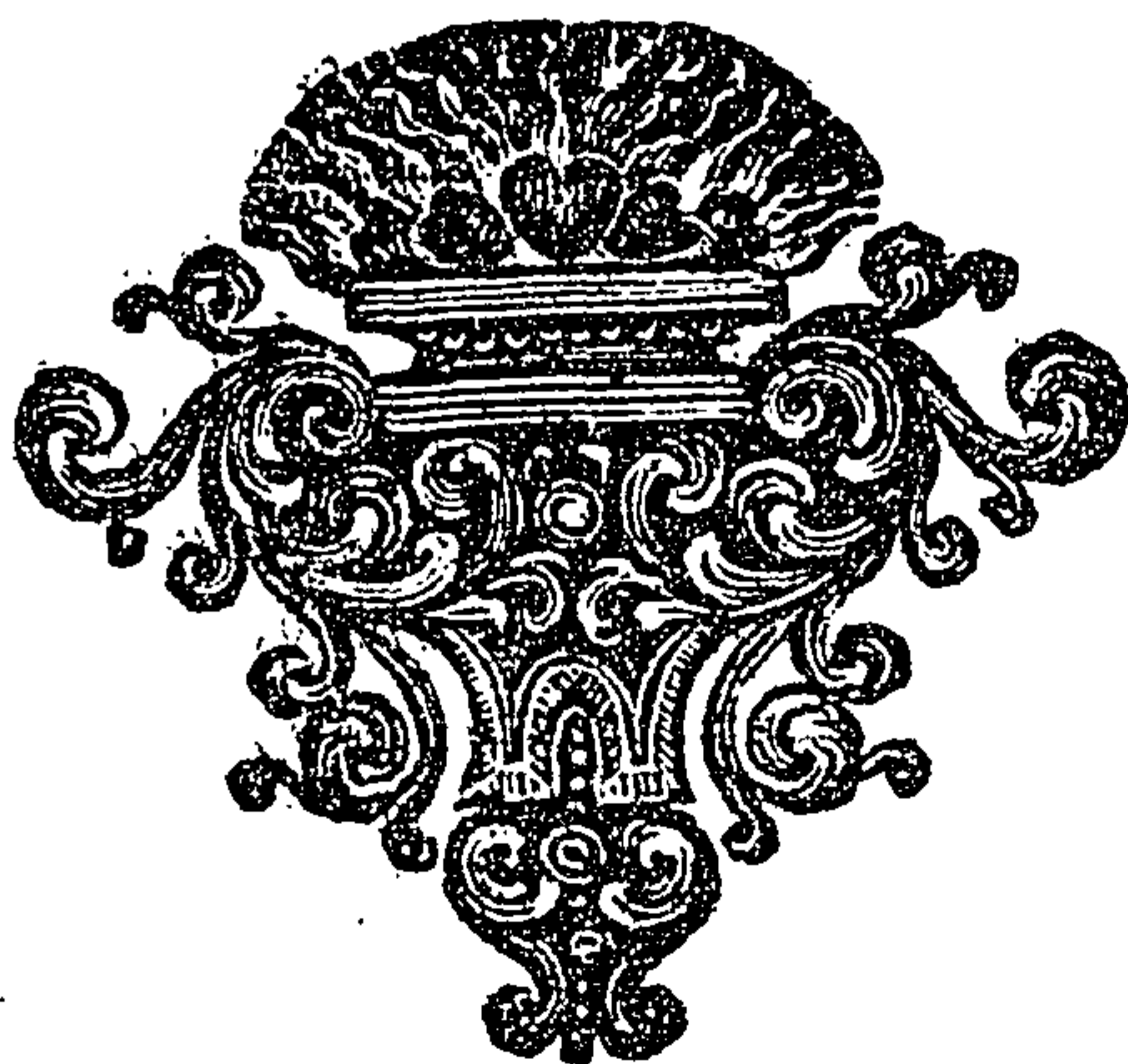


WHEN it was day the Roman army, quite vigorous and refreshed with sleep, marched out to battle, and at the first charge beat off the Volsci, who were fatigued with standing under arms and watching all night. The enemy were not entirely routed, they rather fell back to some steep places behind the principia, to which they retreated in safety without breaking their ranks. The consul, when his men came to the rising ground, commanded them to halt. It was with the utmost difficulty that the soldiers could be kept back, they cried out to him, and earnestly intreated him to permit them to pursue the enemy already discomfited. The cavalry especially crowded round their general, shewed the greatest eagerness to fight, and with a loud voice declared, that they would go before the ensigns to the charge. While the consul on the one hand, encouraged by the ardor of his troops, and on the other deterred by the disadvantage of the ground, seemed irresolute what to do, they all declared by a general shout, that they would go on, and immediately began to march. They fixed their javelins in the ground, that they might climb over the steep places with more ease, and then run towards the top of the hill. As they advanced the enemy, having spent all their darts at the first attack, tumbled down upon them the stones, which lay among their feet, and by the number of these, which they poured upon them, broke their ranks and forced them to retire from the acclivity. The left wing of the Romans was almost born down and ready to draw back, when the consul, by reproaching them both with their rashness and want of courage, made shame get the better of their fears. Upon this they first struggled with great resolution; after that, as they were able to gain a little ground, they advanced, and setting up another shout, encouraged the whole army: then making a new effort, climbed up the hill and surmounted the difficulty of the place. They had now almost got to the top of the eminence,

nence, when the enemy turned their backs, and fled with precipitation: and were so quickly pursued by the Romans, that they entered their camp almost at the same time with themselves, and took it before they had recovered from their fright. Those of the Volsci, who were able to make their escape, fled to Antium. Quinctius led his army thither, and after the city had been invested a few days, it surrendered before the besiegers had made any assault, so much were they dispirited with their late defeat and the loss of their camp.

CHAP.
LXV.
}

End of the SECOND BOOK.



T H E
ROMAN HISTORY,

B Y

TITUS LIVIUS of *Padua*.

B O O K III.

Seditions raised about the Agrarian law. The capitol surprised by exiles and slaves, who are slain, and it recovered. Two census's held; in the first lustrum, the number of citizens amount to one hundred twenty-four thousand two hundred and fourteen, besides orphans of both sexes; in the latter, to one hundred thirty-two thousand four hundred and nine. Upon bad success against the Æqui, L. Quinctius Cincinnatus is made dictator; and sent for from the country, where he was cultivating his farm, to carry on that war. He conquers the enemy, and makes them pass under the yoke. The number of plebeian tribuns augmented to ten, 36 years after their first institution. Ambassadors sent to Greece for that purpose, having brought a copy of the Athenian laws, in the 301st year of Rome, decemvirs, instead of consuls, created, without any other magistrates, to digest and get these laws passed: and as the government was formerly changed from monarchical to consular, so now was it transferred from consuls to decemvirs. These set up ten tables, behave moderately in their honorable office, and therefore it is decreed that the same magistracy continue for another year. Upon this they add two tables more, abuse their power in many instances, refuse to resign their office, nay keep it a third year, till the lust of Ap. Claudius puts an end to their tyranny. Appius falls in love with a virgin, suborns one of his clients to demand her as his slave, and thereby lays her unhappy father Virginius under the fatal necessity of snatching a knife from an adjoining shop, and killing his daughter, since he could by no other means protect her from falling into the hands of him who intended

to debauch her. The people provoked at this unparalleled instance of tyranny, seize mount Aventine, and force the decemvirs to quit their office. Appius and one of his colleagues, being the greatest offenders, imprisoned, and the rest banished. Besides, this book contains an account of the success against the Sabines, Æqui and Volsci; and the unjust sentence passed by the Roman people, who being chosen arbitrators between the Aricini and Ardeates, awarded the land in dispute to themselves.

AFTER the taking of Antium, Tib. Æmilius **CHAP.**
and Q. Fabius were elected consuls. The lat-
ter alone of all the Fabian family survived the battle
of Cremera. Æmilius had, in his former consulship,
declared for dividing the lands among the people.
Upon his advancement to that office a second time,
the abettors of this partition had hopes of getting it
passed into a law. The tribunes likewise, thinking
that, being supported by one of the consuls, they
would now be able to carry what they had often at-
tempted in opposition to both, brought the Agrarian
law again upon the carpet. The consul Æmilius
persisted in his opinion. The possessors of the lands,
and a great part of the patricians, complaining that
a chief magistrate of the city officiously promoted
the claims of the tribunes, and made himself the
idol of the people by giving away other men's pro-
perty, transferred the whole odium of this affair
from the tribunes to the consul. A warm debate
would have ensued, had not Fabius put an end to
it by proposing an expedient disagreeable to nei-
ther party. He told them, that "in the former
year, when Quinctius commanded the army, un-
der his good conduct some lands had been taken
from the Volsci: that a colony might be sent to
Antium^b, a neighbouring and commodious city,
situated on the sea coast. By this means the peo-
ple might be put in possession of lands, without

I.

Tiberius
Æmilius
and Q. Fa-
bius consuls.
Y. of R. 285.
B. J. C. 467.

^a In the year of Rome 282. p. 213.

^b Antium was the capital of the Volsci, situated on the point of a rock. It was a day's journey from

Ostia, according to some, near Nettuno, or according to others near Antio Rovinato. Its name is still retained in *La torre d'Anzo* and *Capa d'Anzo*.

" com-

CHAP. I. “complaints of possessors, and the state be in quiet.” This expedient was acquiesced in; and T. Quinctius, A. Virginius and P. Furius were appointed triumvirs, to make the partition of the lands. Such as were willing to share therein, were ordered to give in their names. But, as usually happens, no sooner had they it in their power, than they refused to go to these new seats; and so few enrolled themselves, that the Volsci were admitted in order to complete the number appointed for the colony; the rest of the people chusing rather to continue their clamors for lands at Rome, than to be put in possession of them elsewhere. The Æqui, against whom Fabius had marched an army, sued to him for a peace, which they broke by making a sudden irruption into the Latine territories.

CHAP. II. IN the following year Q. Servilius, colleague in the consulate with Sp. Posthumius, encamped in the country of the Latines. A distemper, which raged among his troops, obliged them to keep within their camp; and the war was protracted to the third year, when Q. Fabius and T. Quinctius were consuls. Fabius, who, in his former consulship, had granted peace to the Æqui, had that province assigned to him by an extraordinary commission. He, marching thither, in full confidence that his very name would bring them to a submission, sent deputies to their supreme council to represent to them, “That Q. Fabius consul desired to tell them, that having formerly carried peace from the Æqui to Rome, he now brought war from thence, with arms in that same right hand, which he had then given them in amity. The Gods could witness and would soon revenge the treachery and perfidy of those who were the occasion of this. However, he much rather desired, that they should by a voluntary submission cancel their crime, than suffer the calamities of war. If they did repent they should be received into the protection of that clemency they

Q. Servilius
and Sp. Post-
humius
consuls.

Y. of R. 286.

B. J. C. 466.

Q. Fabius
and T.
Quinctius
consuls.

Y. of R. 287.

B. J. C. 465.

“ they had formerly experienced. But if they de-
 “ lighted in breach of solemn treaties, they had the
 “ incensed Gods as well as enemies to fight against.”



This representation made so little impression on any of the Æqui, that the deputies narrowly escaped being insulted, and an army was sent to Algidum^a against the Romans. Accounts of this being brought to Rome, the other consul, with the army under his command, left the city, rather enraged at the indignity done to his colleague's deputies, than apprehensive of any danger from the present war. Thus two consular armies advanced to meet the enemy in order of battle, ready to engage that instant. But as it happened that the day was near spent, one of the enemy's advanced guard called out aloud, “ This, “ O Romans, is only making a parade, not fight- “ ing. You draw up your men in battalia just on “ the approach of night. We need more day light to “ decide the action we are like to come to. Be ready “ to-morrow by day break, and fear not but we will “ give you an opportunity to fight.” The Roman soldiers, stung with these reproaches, were led back to their camp till next day, and thought the night passed slowly, which hindered them from coming to an engagement. Then they refreshed their bodies with victuals and sleep. As soon as it was light next morning the Roman army was ready drawn up a little sooner than that of the Æqui, which at length advanced in battalia. The battle was obstinate. Rage and revenge pushed on the Romans, while a consciousness of having by their perfidy drawn this calamity on themselves, and despair of ever after having any confidence reposed in them, made the Æqui use their utmost efforts and try all their skill. But they were not able to sustain the charge of the Romans. When after this defeat they were retired into their own country, as little as ever disposed to peace, the mutinous populace began to upbraid their chiefs with

^a It was situated in the farthermost parts of the country of the Hetru- and near a wood, which is now called *Selva del l' Aglio*. This city lay tians, in the Latine way, on a hill, eighteen miles from Rome.

CHAP. II. venturing to fight the Romans in a pitched battle, wherein they had always the advantage. That they themselves were better at plundering the country, and making inroads, and that the true art of war consisted more in skirmishing in small parties, than in risking their whole force in one decisive action.

CHAP. III. LEAVING, therefore, a guard in their camp, they sallied out and invaded the Roman territories with so great fury, that the terror reached even to the city. The surprize of this irruption increased the dread, as nothing was less to be feared, than that an enemy, conquered and as it were besieged in their camp, should think of plundering. The country people running in a great panic to the gates, and through groundless fears magnifying every thing, called out, “ that it was not small parties of ravagers, “ but a regular army and whole legions of enemies, “ advancing with all expedition to attack the city.” Those who were nearest the gates repeated this account to others, and the farther it spread, it was the more magnified. The hurry and noise of those calling to arm was as great, and the terror almost as general, as if the city had actually been taken. It seasonably happened, that the consul Quinctius returned at that time from Algidum, which allayed their fears. As soon as their consternation was over, after chiding them for being afraid of conquered enemies, he posted guards at the gates. Then convening the senators, and a general vacation of the courts of justice being proclaimed by the authority of the senate, he marched out to protect their territories, having appointed Q. Servilius governor of the city. But he found not the enemy in the Roman dominions. Matters were wisely managed by the other consul, who knowing what rout the enemy would take, fell upon them in their march, laden and encumbered with spoil, and made it a fatal incursion to them. Few of them escaped the ambuscade he had laid for them, and all the booty was recovered.



covered. On Quinctius's return to the city, the courts of justice, which had been shut for four days, were again opened. Then a census was held, and on Quinctius's finishing the lustrum^a, it is said, that the number of citizens enrolled amounted to one hundred twenty-four thousand two hundred and fifteen, besides orphans of both sexes. From this time there was no remarkable action with the Æqui; for they shut themselves up in their towns, and suffered their country to be burnt and pillaged. The consul Fabius, after having several times laid waste the enemy's country with fire and sword, returned to Rome with great reputation and a vast booty.



THEN A. Posthumius Albus, and Sp. Furius Fusus were elected consuls. Some writers call the Furii, Fufii. I mention this that nobody may conclude from this difference of names, that they were different persons. It was not doubted but one of the consuls would prosecute the war with the Æqui. For this reason that people solicited aid of the Volsci, who inhabited Ecetra^a. It was chearfully granted, so inveterate an hatred did these nations bear to the Romans, and they made the most vigorous preparations for war. The Hernici, coming to the knowledge of this, informed the Romans, that the Ecetrans had revolted to the Æqui. The colony of Antium was likewise suspected; because upon the taking of that city, a great number of their men had fled to the Æqui, and, during the war with that nation, were the best troops they had. But being forced to retreat into their fortified towns, these soldiers, retiring privately, had returned to Antium and seduced the colony, of itself already disposed to rebel, from it's allegiance to Rome. Matters not being yet ripe for their revolt, and the Roman senate getting intelligence of their intention, the consuls were ordered, to send for the chief men of the colo-

A. Posthumius Albus and Sp. Furius Fusus consuls.

Y. of R. 288.

B. J. C. 464.

^a This was the ninth lustrum since their first institution, and shews that Rome had received no considerable increase.

^a Æcetra was a considerable city among the Volsci, and was situated on a hilly ground. No traces of it are now to be seen.

CHAP.

IV.

ny, and to interrogate them of their designs. They came very willingly, and being introduced, by the consuls, into the senate, gave such answers to their questions, that they were more suspected at their departure, than they had been at their coming. After this war was looked on as certain. One of the consuls, Sp. Furius, to whom that province had fallen, marched against the Æqui, and found them laying waste the territories of the Hernici. Ignorant of their number, because they had never been seen all together in a full body, he rashly gave them battle with an army inferior to theirs, and being routed at the first charge, retreated to his camp. Nor was the danger then over; for during next night and the day following, his camp was so closely besieged and assaulted by the superior army of the enemy, that not so much as a courier could be dispatched from thence to Rome. The Hernici, however, sent advice, both of the loss of the battle, and of the consul and army's being besieged. This struck so great terror into the senators, that they ordered the other consul Posthumius "to take care that the republic should suffer no detriment," which was an expression in acts of the senate, importing that the state was in the greatest extremity of danger^b. It was thought most adviseable that the consul should stay in the city, to enlist all who were able to carry arms, and that Quinctius should be sent as proconsul^c with an army of confederates, to the relief of the camp. The Latines, Hernici and colony of Antium were ordered to complete his army with the subitarii, for so were auxiliaries sent on a sudden emergency called in those days.

CHAP.

V.

IN the mean time the enemy, far superior in number were often in motion, and made assaults in different places, nay tried all ways to cut off the Roman

^b By this decree the senate granted the consul the supreme power. His decisions were absolute, and no appeal to be made from them.

of the consul, and governed with the same authority, but was confined to that province, which the republic committed to his care.

^c The proconsul supplied the place



forces, which were not sufficient for the defence of every place. At the same time that they attacked the camp, they sent part of their army to ravage the Roman lands, nay even to surprize the city, if fortune should offer them a fit opportunity. L. Valerius was left to guard Rome, and the consul Posthumius sent to repel the ravagers from the frontiers. No pains or labor of any kind were spared. Guards were placed in the city, centinels at the gates, and soldiers to defend the walls; and what was very necessary amidst so much confusion, a vacation of all courts of justice was appointed for several days. The consul Furius, though he had at first quietly suffered himself to be blocked up in his camp, sallied suddenly out at the back gate, and surprized the enemy. He might have pursued them, but halted lest his camp should have been attacked in some other place. Lucius, his brother and lieutenant general pursued the enemy with too much eagerness, without perceiving either that the Romans were retreating to their camp, or that the enemy were falling on his rear. Being thus cut off from the main body of the Roman army, after many unsuccessful attempts to open himself a way to the camp, he fell fighting valiantly. The consul, hearing that his brother was surrounded, likewise returned to the battle, and rushing with more precipitation than caution amongst the thickest of the enemy, was wounded, and with difficulty rescued by those who were about him. This accident disheartned his own men, and inspired the enemy with fresh courage, who elated with killing a lieutenant general, and wounding the consul, beat down all before them. The Romans, neither equal in strength nor courage, were driven back to their camp and there again besieged. And all had certainly been lost, had not Quinctius brought an army of Latines and Hernici, and other auxiliary troops, to their relief. While the Æqui were wholly intent upon making themselves masters of the Roman camp. and with insults exposing to view the head of their

CHAP.

v.



dead lieutenant general, he fell on their rear, at the same time that the besieged, on a signal made by him, sallied out, and by this means surrounded great part of their army. The slaughter was not great, but the Æqui fled in straggling parties through the Roman territories. Posthumius fell with great fury upon them with some detachments, which he had posted in proper places. These pillagers being thus routed, in their flight fell in with the victorious Quinctius returning with the wounded consul. It was then that the consular army by fighting valiantly revenged the wounding of their consul, and the death of their lieutenant general with the slaughter of the cohorts^a under his command. During this time, many were killed on both sides. In an affair of such ancient date, it is hard for one exactly to ascertain the numbers of the armies on each side, or of those who were slain; and yet Antias Valerius^b boldly ventures to set down the precise number. He says, that there fell of the Romans in the country of the Hernici five thousand three hundred. That the consul Posthumius killed two thousand four hundred of those Æqui, who in scattered parties pillaged the Roman territories. That a much greater slaughter was made of those whom Quinctius lighted on, as they were carrying off their booty; for four thousand, and by his minute computation, two hundred and thirty of them were slain. Upon this they returned to Rome, and again opened all the courts of justice. The heavens seemed to be all on fire, and other phænomena were either actually seen, or fear made the people imagine they saw prodigies. To avert these dreadful omens, three solemn fast days^c were appointed, during which time the temples

^a There were ten cohorts in each legion. The number of men in a cohort was greater or less, according as the legions were so. In a legion consisting of 4000 men, a cohort had 400. In one of 5000, a cohort consisted of 500. A cohort contained three manipulæ, the first of which consisted of the *principes*, the second *hastati*, the third *triarii*. It is com-

monly reckoned that the lieutenant-general had two cohorts with him, who were all cut off to a man.

^b Book 3. chap. 5.

^c These days were called *Imperativa Feriæ*, and were not held at any fixed season; but were appointed at circumstances and occasions required, sometimes in a time of public rejoicing, sometimes, of public calamity.

were crowded with multitudes of men and women, imploring the mercy of the Gods. Then the Latine and Hernician auxiliaries, were sent home with grateful acknowledgments, of the great service they had done the Romans in the war. But the thousand Antiates had like to have been dismissed with marks of ignominy, because they had not come up to assist the Romans till the battle was over.

CHAP.
V.

THEN the comitia were assembled, and L. Æbutius and P. Servilius being chosen consuls, they entered upon their office on the first day of August, which at that time was the beginning of the year^a. This year proved very calamitous, for a dreadful plague raged both in town and country, and swept off both man and beast. The violence of the distemper was much increased by the number of peasants, who were taken, with their cattle, into the city for fear of being plundered. This medley of all kinds of animals annoy'd the citizens by it's uncommon stink, and likewise stifled the country people, pent up in close lodgings, with heat and want of sleep; besides, their attendance on one another, with the infectious nature of the distemper, propagated it every where. When they were scarce able to support themselves under these grievous calamities, embassadors from the Latines and Hernici brought them sudden advice, that the Æqui and Volsci, with united force, had encamped in their country, and with a great army pillaged their lands. Besides that the thinness of the senate sufficiently convinced these faithful allies, that the city was much reduced by the plague, they farther received this uncomfortable answer, " that the

CHAP.
VI.

L. Æbutius
and S. Servilius consuls.
Y. of R. 289.
B. J. C. 463.

^a Nothing is more uncertain than the beginning of the consular year. And chronologists have at last own'd all their endeavours to settle it, unsuccessful and vain. It is probable at the first creation they entered into office in the calends of March; afterwards in October; now in August;

and it will in the sequel appear, that they entered into office sometimes in July, December, and sometimes in March, till the consular years were fixed to begin in January, and continued to do so till the ruin of the republic.

CHAP.

VI.



“Hernici, in conjunction with the Latines, should defend their own territories. That the incensed Gods by a sudden plague swept off the inhabitants of Rome. That if this distemper should abate, they would succour their allies, as they had done the year before, and on all other occasions.” Upon this they departed, carrying home worse news than they had brought, as they could not of themselves support a war, which they had scarce been able to maintain when assisted by the Roman army. The enemy staid no longer in the country of the Hernici, but marched in an hostile manner into the Roman territories, which were desolate even without suffering the calamities of war. Meeting neither soldiers nor peasants there, and having over-run the whole country not only defenceless, but even uncultivated, they advanced by the Gabian way within three miles of Rome. Æbutius the Roman consul was dead, and his colleague Servilius lingering under the plague with little hopes of recovery. Most of the nobility, the greater part of the senators, and almost every man of an age fit to carry arms were sick. So that they wanted not only forces to send out to stop the progress of the enemy, which the present distressed state of affairs required, but even guards for common duty. The senators, whose age and health would permit, mounted guard and stood centinels. The Ædiles went the rounds, and gave the necessary orders; for on them was devolved the administration of affairs, together with the consular authority.

CHAP.

VII.



THE whole country being thus desolate, and the state without a head to direct, or an army to defend it, the guardian Gods and good fortune of Rome preserved it, and made the Volsci and Æqui act rather like ravagers than formal enemies. For they not only entertained no hopes of winning the city, but had not so much as courage to march to the walls of it. The sight of the houses afar off, and the graves so near, quite daunted them. Their whole

whole camp on a sudden mutinied, complaining, that they indolently wasted the time without pillaging in a desolate and deserted country, amidst the infection of men and cattle, while they might have gone to the plentiful and wholesom territories of Tusculum^a. Then pulling up their ensigns they marched by cross ways through the Lavican^b territories to the hills of Tusculum. Thither they carried the whole horrors and heat of the war. In the mean time the Hernici and the Latines, moved not only with compassion, but ashamed at having neither obstructed the common enemies march to Rome, nor sent any relief to their besieged allies, marched with their united forces directly thither. When they found the enemy were gone, getting intelligence of their rout, they followed the tracks of their army, and met them coming down from the Tusculan hills into the valley of Alba. There they fought with great disadvantage, and for that time their fidelity to their allies was very unsuccessful. The plague swept off as many people at Rome, as were slain of their allies by the sword. The surviving consul, with other eminent men, M. Valerius, T. Virginius Rutilus both of them augurs, died of it; as also Servius Sulpicius, the curio maximus^c. It made great havock amongst those of less note. The senate, destitute of all human aid, made the people have recourse to the Gods and to prayers, ordering them to go in procession with their wives and children and implore the divine mercy. Being thus called upon by public authority to do what

^a It was a city of Old Latium, thirteen or fourteen miles from Rome, formerly famous for it's excellent waters, fruitful soil, and pleasant hills. It's ruins are to be seen near the city of Fracasati.

^b It is likewise wrote *Labican*. The capital of this country was Lavicum or Labicum, now called Valmontone. Cluverius calls it Zagorollum.

^c The chief of the curiones was called *curio maximus*, and had the pre-eminence and inspection over the in-

ferior *curiones*, who were, for that reason, called *curiones minores*. The chief curio is compared by the fathers *Catrou* and *Rouille* to the archpriests or archdeacons in France, standing in the same relation to the other *curiones*, as they do to ministers of parishes. He was chosen by all the *curiæ* together. The curiones had the charge of the sacrifices, almost in the same manner as the principal magistrates had in Greece.

CHAP.
VII.

each individual's private distress obliged him to perform, they crowded all the temples, where the matrons, lying prostrate^d on the floors and sweeping them with their hair, deprecated the divine vengeance, and implored the Gods to put an end to the plague.

CHAP.
VIII.

L. Lucretius
Tricipitinus
and T. Vetu-
rius consuls.
Y. of R. 290.
B. J. C. 462.

WHETHER it was that they obtained favor of the Gods, or that the unwholesom season of the year was now past, from this time the distemper by degrees abated, and their bodies began to recover health. Then they applied with vigor to public affairs, and after several interregnums, P. Valerius Publicola, the third day after he had been chosen interrex, appointed L. Lucretius Tricipitinus, and T. Veturius, or rather Vetustus, Geminus, to be consuls. They entered upon their office on the eleventh day of August^a, and the city was by this time so healthful, as to be in a condition not only to act defensively, but even to offend their enemies by carrying the war into their country. On intelligence, therefore, from the Hernici, that the enemy had entered their territories, the Romans readily promised to assist them. Two consular armies were levied. Veturius was sent to attack the Volsci in their own country. Tricipitinus, having been commissioned to post himself in such a manner, as to defend their allies lands from being ravaged, went no farther than into the territories of the Hernici. Veturius defeated and routed the enemy in the first engagement. The pillagers stole by Lucretius as he lay encamped there, and marching along the tops of the hills of Præneste, from thence made a descent into the open country. They pillaged the lands of Præneste and Gabii, and from the

^d These persons, who endeavoured to appease the incensed Gods, prostrated themselves at the gates of their temples, kissed the threshold, knocked their heads against the door-post, and crawled on their belly to the altar or shrine of the God whom they desired to appease.

^a This month was called Sextilis, as being the sixth in order from March, when they began their year. As the month Quintilis was called Julius, in honor of Julius Cæsar, so the month Sextilis was called Augustus, in honor of the emperor Augustus Cæsar.

last marched round to the hills of Tusculum. Rome was struck with a terrible panic, more on account of the surprize of this unexpected incursion, than for want of sufficient force to repel it. Q. Fabius, who was governor of the city, by arming the youth and posting guards in proper places, preserved all things in safety and quiet. The enemy therefore, having taken a great booty from the adjacent country, fetching a compass retired with their army not daring to approach the city. Growing more negligent in their march in proportion as they got at a distance from the city, they fell in with the consul Lucretius, who having by his scouts got certain intelligence of their rout, was ready drawn up, and waiting an opportunity to give them battle. Being thus prepared he immediately charged them seized with a sudden fear, and though he was inferior in numbers, routed and put to flight their numerous army; and driving them into the vallies, from whence there was hardly any outlet, surrounded them on all sides. There the whole nation of the Volsci was almost cut off. I find in some annals that thirteen thousand four hundred and seventy of them were killed in the battle and in the flight after it; one thousand two hundred and fifty made prisoners, and twenty-seven standards brought out of the field. Though possibly the number may be somewhat exaggerated, yet it is certain that a great slaughter was made of them. The victorious consul, having got a great booty, returned to the same camp which he had left. After that both consuls encamped together. The Æqui and Volsci likewise united their broken forces. In this year they fought a third battle, wherein the Romans had the same success as formerly; the enemy were routed and their camp taken.

THUS was the Roman state restored to it's former flourishing condition. But this success in war immediately raised intestine commotions. C. Terentillus Arsa was that year tribune of the people. Thinking the absence of the consuls a fit opportunity for preferring the claims of the tribunes, he for several days

CHAP.

IX.



days accused the senators of pride before the people, but in a particular manner inveighed against the consular power as too absolute and insupportable in a free state, representing, “ That it was only in name
 “ less odious, but in fact very near as grievous as
 “ regal government. That, instead of one lord
 “ they had got two, with unbounded and unlimited
 “ power, who being themselves independent and
 “ restrained by no authority, turned the whole dread
 “ of the laws against, and rigorously punished the
 “ breach of them in the common people. That
 “ their tyranny might not be perpetual, he would
 “ prefer a bill for authorising five^a men, to draw
 “ up laws, for restraining the consular power within
 “ due bounds. That the consuls might not exercise any authority over the people, but what they
 “ themselves entrusted them with, and not substitute
 “ their own licentious tyranny and arbitrary wills in
 “ place of law.” While the patricians, on proposing this bill, were under terrible apprehensions of having a yoke imposed on them in the absence of the consuls, Q. Fabius governor of the city assembled the senate. He inveighed so bitterly both against preferring the bill and its author, that had both the consuls been present, to wreak their vengeance on the tribune, they could not have used greater threatnings and menaces. He charged him, “ with lying in
 “ wait, and taking advantage of the absence of the
 “ consuls, to attack the republic. Had the Gods in
 “ wrath cursed them with a tribune of his character
 “ in the preceding year, when they were afflicted
 “ with the plague and war, it had been impossible
 “ to have found a remedy against his wicked designs.
 “ When both the consuls were dead, the city distressed with sickness, and all things lay jumbled

^a Other authors say ten; and then the form of the bill was this: Let the people, in lawful comitia, elect ten men, of a mature age, consummate wisdom, and unspotted reputation, to draw up a body of laws, as well for the administration of the public, as determina-

tion of private affairs. Let these laws be fixed up in the public forum; and let the annual magistrates, as well as other judges, be obliged to conform themselves to them, in the decisions of the controversies, which may arise in Rome.

“ together in confusion, he would have proposed
 “ laws for destroying the consular authority, and
 “ marched on the head of the Volsci and Æqui to
 “ attack Rome. Why did he arrogate this power
 “ to himself? If the consuls had behaved haughtily,
 “ or cruelly used any citizen, they might be cited to
 “ take their trial, and be arraigned before the peo-
 “ ple as judges, of whose body the person inhuman-
 “ ly treated was a member. Such proceedings as
 “ his would not render the consular, but tribunician
 “ power odious and insupportable, which having
 “ been lately softened and reconciled to that of the
 “ patricians was falling again into it’s former enmity.”
 Nor did he entreat him to desist from his purpose,
 but addressing himself to the other tribunes, “ It
 “ is you, says he, whom we conjure first of all to
 “ consider, that the tribunician power was provided
 “ for the relief of individuals, not for the destruction
 “ of the whole. You were made tribunes of the
 “ people, not enemies to the senators. Should the
 “ authority of the state in the absence of it’s supreme
 “ magistrates be broke in upon, it would be a great
 “ grief to us, and derive hatred and reproach upon
 “ you. You will not lose a tittle of your right, but
 “ only expose yourselves to less odium. Use your
 “ interest with your colleague to suspend all proceed-
 “ ings, till the return of the consuls. The very
 “ Æqui and Volsci did not vigorously prosecute a
 “ cruel and destructive war against us last year,
 “ when both our consuls were dead of the plague.”
 His colleagues prevailed with Terentillus, and the bill
 being in appearance put off, but in fact dropt, the
 consuls were immediatly sent for home.

LUCRETIVS returned to Rome with great CHAP.
 booty, but greater renown. His exposing, on his X.
 arrival, the whole spoil in the campus martius, that
 every one for the space of three days might know
 and carry away what goods were his own, added
 considerably to his reputation. What nobody claim-
 ed

CHAP.

X.



P. Volumnius and Ser. Sulpicius consuls.

Y. of R. 291.
B. J. C. 461.

ed was fold. A triumph was declared due to the consul by universal consent, but was delayed because the tribune still insisted on his bill, which the consul thought ought to be discussed preferably to every thing else. For some days the matter was warmly debated in the senate, and then before the people. At last the tribune yielding to the dignity of the consul, dropt his bill. Upon this due honor was paid to the consul and his army. He triumphed over the Æqui and Volsci, his soldiers following in his train. An^a ovation was granted to his colleague, who entered the city without his army. In the following year an attempt was made on the new consuls by the revival of Terentillus's law, which was now warmly espoused by the whole college of tribunes. The consuls were P. Volumnius, and Ser. Sulpicius. That year the heavens seemed to be on fire, and there happened a violent earthquake; and what had gained no credit the year before, was now firmly believed, viz. that a cow spoke. Amongst other prodigies, it rained raw flesh, which, it is said, was caught in the falling by numerous flocks of birds which flew round at that time. What of it fell to the ground lay scattered for several days, without changing it's smell. The Sybilline books were consulted by the duumviri^b, who presided over sacred things. They foretold danger from the coming of strangers, and

^a A petty kind of triumph decreed where the war was not very dangerous, and consequently the victory not very important. The general to whom it was decreed, was not allowed to enter the city in a chariot, or to be crowned with laurel. He marched on foot to the capitol with a crown of myrtle on his head. Upon a triumph it was the common practice of the general to transfer his army to the command of another, excepting in times of confusion, when neither this nor any other custom or law were regarded.

^b These duumviri consulted the sybilline books, whenever the senate pleased. But recourse was seldom had to them, but under some severe pub-

lic calamity, as in case of sedition, a Roman army's being defeated, or the appearance of prodigies, which were deemed fatal. Then these officers were to see what the sybilline books commanded put in execution. They presided at the sacrifices and public sports, which were made to appease the wrath of the Gods. They likewise had the ordering of every thing relating to the *ludi seculares*. They held their office for life, and were exempted from taxes, civil and military employments. From duumviri they encreased to decemviri, and then to quindecimviri. This magistracy was, with the other Roman superstitions, abolished by the emperor Theodosius.

to

to prevent any assault upon the highest places of the city, and a slaughter consequent thereon, amongst other things, the people were admonished to abstain from civil discord. The senators were accused of contriving this on purpose to hinder the passing of the law, and the contest ran very high. In the meantime the Hernici (as if the war was every year to keep in the same track) bring account, that the Volsci and Æqui, notwithstanding they had been so much reduced, were recruiting their army. That the Antiates, who openly held their councils at Ecetra, were the chief support of the enemies of Rome. Antium was the head of the confederacy, and furnished the troops for the war. When these things were laid before the senate, an army^c was immediately ordered to be levied. The consuls were commanded to share the management of the war between them, the one to march against the Volsci, the other against the Æqui. The tribunes dinned the people's ears by exclaiming in the forum, " That the story of the Volscan war " was a mere fable invented by the patricians, in " which the Hernici were beforehand instructed to " play their parts. Now indeed the liberties of " the Roman people were not openly attacked, " but undermined by artifice. Because it was incre- " dible, that the Volsci, who had almost been all " cut off, should, together with the Æqui, without " any provocation, put their troops in motion, new " enemies must be looked out for: a faithful and " neighbouring colony must be defamed: war was " denounced against the Antiates who were inno- " cent, but was to be carried on against the Ro- " man people, whom they were drawing headlong " out of the city burthened with arms, that by ba- " nishing and sending the citizens out of the way, " they might revenge themselves on the tribunes. " By this means, that they might not be imposed


^c This way of levying forces was of a war the consuls had power to called MAKING A CHOICE, because chuse whomever they thought fit for all the citizens being soldiers, in case service.


CHAP. “ upon by their specious pretexts, the sole design of
 X. “ the senators was to evade the law, unless while
 “ the matter was entire, while they were at home,
 “ and in their gowns^d, they should take care, not
 “ to

^d The toga was the most common habit of the ancient Romans, especially in the times of the republic. Under the empire of Augustus, the poor people often wore nothing but a tunick, or a sort of cassock. *Tunicatus hic populus*, says Tacitus de Orat. *transseunt nomina vocat, & digito demonstrat*. This emperor, being angry, according to Suetonius, to see the people so clothed, could not help expressing his resentment at it. Look at these Romans, says he, *Romanos rerum dominos gentemque togatam!* Nothing has been more controverted than the form of the ancient Roman toga. Some, as Rubenius, are persuaded it was open before from the top to the bottom. Le Ferrari, in his book, *de re vestiaria*, thinks, with more probability, that it had no opening but in the upper part, where a great hole was cut in it, for the head to go through, and to give the more play to the arms, this robe had no sleeves. It was pretty much like a mantle, which reaches down to the heels in great folds, only with this difference, that the toga was not open before. The hole in the upper part of the toga, gave the right arm free play. But not the left, which was employed in holding up the bottom of the robe, the other lappet of which was thrown from the right side over the left shoulder, for the convenience of action.

But was this garment square or round? Or was it only a half round? This is again another dispute among the moderns, and is both very difficult to be determined, and more trifling. The toga was generally white. Before luxury prevailed, it's value consisted only in the fineness of the wool, of which it was made. Those who stood candidates for the magistracy appeared in the comitia, in a robe dressed by the fuller on purpose. It was of a very bright and shining white colour; from whence they had the name of *Candidati*. The common toga worn by the Romans, was

called *toga pura*, and was of the natural colour of wool. Though this sort of habit was pretty inconvenient for soldiers, yet it was used by the Roman soldiers in the first ages of Rome, till for the convenience of the soldiery, habits were given them, of another form. After this, the toga was worn only by such as did not belong to the army, and became the symbol of peace, *cedant arma toga*. Some have thought, the Romans tied up the folds of the toga with a girdle: and quote a passage in Macrobius in proof of it. He, speaking of Cæsar, Saturnal. b. 2. expresses himself thus. *Ita toga prætingebatur, ut trabendo laciniam, velut mollis insurgeret, ut Sylla tanquam providus dixerit Pompeio, cave tibi illum puerum male præcinctum*. But besides that a girdle would have tied down the left arm, which could not have been used but by putting it under the lappets of the robe; it is evident, the Romans wrapped the toga round their bodies in a manner, that a girdle would have been both inconvenient and useless. The toga itself made a girdle: Macrobius therefore only means, that Cæsar wrapped the lappets of his robe cross him, in such an affected manner, as made him to be thought effeminate. The soldiers, when they also wore the toga in the army, used to fasten it up, and bringing up the lappets under their stomach, tie them in a knot, after the manner of the Gabini. This they did that they might be the more nimble. And from hence come the Latin expressions *cinctus Gabinus*, and *in præcinctu*, which was originally said of a man ready to fight. The Romans, who usually went bare-headed, used to cover their heads with the upper part of their robe, which was like a cowl, to defend them from the sun, rain, and cold. Only they took care, as we learn from Plutarch, to uncover their heads, whenever they met any person, to whom they would pay any respect. Varro assures us, that in the first ages

“ to be driven from the city, nor receive a yoke of CHAP.
 “ slavery. If they had courage, help should not x.
 “ be wanting. All the tribunes were of one mind. 
 “ There was no fear of a foreign enemy. Nor
 “ was there any danger : the Gods had last year
 “ taken care, that their liberty should be defended
 “ with safety.

SUCH were the remonstrances of the tribunes. CHAP.
 The consuls, on the other hand, erected their tri- xi.
 bunals in their very sight, and were raising an army. 
 Thither the tribunes ran in great hurry, drawing the
 assembly after them. A few were called on, as it
 were to try how the matter would go, but immedi-
 ately a tumult arose. Whomever the lictor seized
 by command of the consul, the tribune ordered to
 be released. Neither party kept within the bounds
 of the laws, but trusting to force and violence strove
 to gain their ends. As the tribunes were active in
 opposing the levies, so were the patricians in hinder-
 ing the passing of the law, which was proposed every
 day on which an assembly of the people was held.
 A quarrel began when the tribunes commanded the
 people to leave the forum, from which the patricians
 would not suffer themselves to be excluded. The
 aged senators for the most part absented themselves,
 from these meetings, because the debates were not
 managed with temper, but left to the direction of rash
 and audacious men : and the consuls for some time
 stayed away for fear of exposing the dignity of their of-
 fice to insults in such a mixed rabble. There was one
 Cæso^a Quinctius, a young man of high spirits, with
 which his noble birth, huge size and great strength in-
 spired him. To these gifts the Gods had bestowed upon

of Rome, the toga was a garment
 used both by men and women. But
 afterwards the Roman ladies wore a
 particular habit, of which we shall
 have occasion to speak hereafter. Af-
 ter this the toga was used by none
 but loose women. They were oblig-

ed by the laws to appear in it, as a
 mark of their infamy.

^a The name of *Cæso* was usually
 given to those children, who could no
 otherwise be brought into the world
 than by cutting open their mothers.

CHAP.


XI.


him he had added many honors gained in war, and was a good speaker in the forum, so that no man belonging to the republic was deemed a greater orator, or a braver soldier. This man, when surrounded by a crowd of senators, was always the most conspicuous among the rest, and, as if on account of his eloquence and strength, in him had been centred all dictatorial and consular power; he was the only person who sustained the storms of the tribunes, and fury of the mob. Under his conduct the tribunes had been frequently driven out of the forum, the rabble dispersed and put to flight. Who ever came in his way was sure to be soundly drubbed, and stripped. So that it was evident, had he been allowed to have run on in this course, the bill would have been quite lost. Upon this, while the other tribunes seemed to have lost all heart, A. Virginius, one of their college, summoned Cæso against a certain day to be tried for his life. This affront rather inflamed than daunted this impetuous young nobleman; so that he more vigorously opposed the law, insulted the people, and attacked the tribunes, having then as it were a just cause of making war upon them. His accuser suffered him after his impeachment to run on, that by his outrages he might blow up the resentment invidiously kindled against him, and furnish fresh matter for his indictment. The tribune continued still to propose the law, not so much from any hope of carrying it, as to provoke this rash youth. In the mean time many unadvised speeches and actions of the young nobility were charged upon Cæso alone, who was become odious, notwithstanding which he continued his opposition to the law. A. Virginius was every now and then representing to the people, “Do you not perceive, Romans, says he, that
 “it will be impossible for Cæso to continue in the
 “city, and for you at the same time to carry the
 “law, which you are so eagerly bent upon? But why
 “do I mention the law? He obstructs your liberty.
 “and exceeds all the Tarquins in haughtiness. Wait
 “til

“ till he is made consul or dictator, whom you see
 “ in his private capacity domineer over you, by his
 “ uncommon strength and audaciousness.” Many,
 complaining that they had been severely beaten, ap-
 proved of the tribune’s speech, and incited him to
 prosecute the affair to the utmost.

CHAP.
 XI.

THE day of trial was now come, and it appear-
 ed people were generally of opinion, that their li-
 berty depended on the condemnation of Cæso. Then
 at length was he forced to make very mean sub-
 missions and solicit the commons one after another.
 His relations and friends, the principal men of the
 city, attended him. T. Quinctius Capitolinus, who
 had been thrice consul, after recounting many honors
 he had gained himself as well as those of his family,
 affirmed, “ that neither of the Quinctian race, nor in
 “ the city of Rome, had there ever been so promi-
 “ sing a genius, or such a prospect of complete bra-
 “ very, as discovered itself in Cæso. That he had
 “ made his first campaign under him, and he had
 “ often seen him fight valiantly against the enemy.”
 Sp. Furius said, “ that he had been sent by Q. Capito-
 “ linus to his relief when he was in the midst of dan-
 “ ger, and he thought, no man had at that time con-
 “ tributed more, by his valor, to the re-establishment
 “ of the affairs of the state, than Cæso.” L. Lucretius,
 who had been consul the preceding year, all glorious
 in the high renown he had lately acquired, shared
 his honor with Cæso: reckoning up all his combats,
 and recounting the great exploits he had performed
 when he had been sent out on parties and in pitched
 battles, he earnestly advised, “ that they would rather
 “ chuse to retain as their fellow citizen, than send into
 “ banishment this excellent youth, who was adorned
 “ with every natural endowment and gift of fortune,
 “ and would prove of the greatest service to any state
 “ he should go to. Age would daily lessen that fire
 “ and impetuosity of temper, which gave them of-
 “ fence. Experience, which he now wanted, he
 VOL. I. R “ would

CHAP. XII.  " would every day acquire. That therefore as years
 " were correcting his vices, and his virtues ripening,
 " he hoped they would permit that illustrious youth
 " to grow old amongst them." With them Cæso's
 father Quinctius surnamed Cincinnatus joined his en-
 treaties, beseeching them for his sake, who had never
 offended any one by word or deed, to pardon his
 son. He industriously avoided the mention of his
 virtues, for fear of increasing the people's envy, and
 only besought them to forgive his faults which were
 the effects of youth. But some declined to receive
 the submissions of so great a man either through mo-
 desty or fear. Others, complaining that they and their
 friends had been severely beaten, plainly testified their
 sentiments by the rough answer they gave.

CHAP. XIII.  BESIDES the general odium, a particular charge
 was brought against Cæso, to which M. Volscius
 Fictor^a, who had been tribune of the people the year
 before, rose up and gave evidence. He said, " that
 " not long after the plague had raged in the city,
 " he had fallen in with a company of young patri-
 " cians committing a riot in the Subura^b. And a
 " quarrel happening, Cæso had with his fist knocked
 " down his elder brother who had not perfectly re-
 " covered of his sickness, and had left him almost
 " dead. Being carried home between mens hands,
 " he was of opinion, that he died of that blow; but
 " the consuls for the preceding year would not allow
 " him to prosecute Cæso for this cruel murder." This
 accusation so exasperated the people, that in
 their rage they had very near fallen upon and killed
 Cæso on the spot. Virginius commanded him to be
 seized, and carried to prison, but the patricians opposed
 this order by force. His father T. Quinctius cried out,
 " that one, against whom an action is brought for

^a This surname of Fictor was pro-
 bably given to M. Volscius, from his
 bearing false witness against Cæso.

^b Subura was a village which stood

in one of the valleys of mount Cælius,
 and was anciently called *pagus fuculanus*. It gave name to that tribe call-
 ed *tribus Suburana*.

“ a capital crime, and for which he is soon after
 “ to take his trial, ought not to have violence done
 “ him, before he is condemned or so much as heard
 “ in his own defence.” The tribune replied, “ that
 “ it was not his intention to inflict any punishment
 “ upon him, till he should be legally condemned, but
 “ only to secure him in prison till the day of trial,
 “ that as he had killed a man, the Roman people
 “ might have it in their power to punish him for
 “ this murder.” The tribunes being appealed to
 exerted their right of assisting the oppressed, by tak-
 ing the middle way between Virginius’s pretensions
 and those of Cæso’s friends, ordering the criminal to
 appear in person at his trial, and to promise to pay
 a certain sum of money to the people in case of non-
 appearance. It was long before they could agree on a
 reasonable sum. The sum was referred to the decision
 of the senate, and while they were deliberating on it,
 the criminal was kept under arrest in the common
 hall. It was agreed he should give security, and each
 surety was to become bound in the sum of three thou-
 sand asses of brass^c, but it was left to the determination
 of the tribunes how many there should be, and they
 concluded on ten, and that number became surety for
 the criminal’s appearance. He was the first who gave
 security to the state. Upon his being set at liberty,
 he went next night in exile to the Hetrurians. On
 the day of trial, when his being in banishment was urged
 as an excuse, Virginius notwithstanding held the co-
 mitia, and the rest of the tribunes being called upon,
 dismissed the assembly. The fine was rigorously ex-
 acted of the father, so that after selling all his effects,
 he lived for some time like an exile, in a retired and
 solitary cottage on the other side of the Tiber.

THIS trial and proposing the law employed the
 whole city, which had no foreign war to disturb it.
 The tribunes, flushed with their supposed victory,
 thought, that as they had struck a terror into the pa-

^c According to Arbuthnot, the amount of this in sterling money is l. 9.
 13. 6.

CHAP.

XIV.



tricians by the banishment of Cæso, the law was now as good as passed, and that the most aged of the fathers, by not meddling in the administration of affairs, had yielded to them all authority in the state. The young noblemen, especially such as had been companions of Cæso, without having their courage impaired, became more incensed against the plebeians. But in one respect they were much improved; for they kept their resentment within bounds. As soon as the bill began to be proposed after the banishment of Cæso, being ready prepared, and attended by a great number of clients, they attacked the tribunes, whenever they furnished them with a handle by removing them out of the assembly. They made this assault in such a manner, that neither the chief honor nor odium of it could be derived on any particular person; for they were all equally concerned, and the people complained, that instead of one a thousand Cæsos had started up. None were more peaceable or quiet than they on the intermediate days, when the tribunes did not offer to prefer the bill. They courteously saluted, discoursed with, and invited the plebeians to their houses, assembled with them in the forum, and even suffered the tribunes to hold assemblies on other affairs without interruption. They never, either in public or private, shewed any passion, but when the law began to be proposed. On every other occasion these young noblemen were very complaisant to the commons. For the tribunes were not only suffered to do their other business quietly, but were re-chosen to serve that office next year without an unhandson word, or the least violence offered to them. By such gentle usage and soothing speeches they by degrees softened the people, and by these devices staved off the law for all that year.

CHAP.

XV.



Ap. Claudius
and P. Val.
Poplicola
consuls.

Y. of R. 292. B. J. C. 460.

THE state enjoyed more tranquillity than it had done for some time before, when C. Claudius, son of Appius, and P. Valerius Poplicola^a received the

^a This was Poplicola's second consulate.

consulship

consulship. The new year produced nothing remarkable, the state being entirely employed about drawing up and ratifying the law. The more the young patricians insinuated themselves into the favor of the plebeians, the more vigorously did the tribunes on the other hand strive to render them suspected, by the most grievous accusations. They spread a report, “ that they had entered into a conspiracy, that Cæso
 “ was in Rome, that a plot was formed to kill the tri-
 “ bunes, and massacre the people. That the old
 “ senators had given the young nobility commission
 “ to abolish the tribunician power, and to restore
 “ the state to the same form of government in which
 “ it was before the secession to the sacred mount.” Besides all this they dreaded a war with the Volsci and Æqui, which was now become common and happened regularly almost every year : and moreover a new and unexpected calamity broke out nearer home. The outlaws and slaves, to the number of four thousand five hundred, surprized the capitol and citadel in the night time under the conduct of one Appius Herdonius, a Sabine. They immediately put to the sword every man in the citadel, who refused to join in their conspiracy, or to take up arms along with them. In the confusion some ran precipitately, and in a great panic down into the forum, where nothing was to be heard but the voices of those calling by turns, “ to arms,” and “ the enemy is in the city.” The consuls were equally afraid of arming the people, or suffering them to be without arms^b. Not knowing whether this sudden calamity, which had befallen the city, arose from a foreign or domestic enemy, was the effect of the people’s hatred, or the treachery of the slaves, they endeavoured to settle the present confusion, and sometimes the more they endeavored to quiet it, the more it increased. Nor was it indeed possible to govern the people in this consterna-

^b By this it would appear that the Roman arms, in time of peace, were kept in public arsenals, under the custody of the chief magistrates, who gave them out only as the public necessities required.

CHAP. tion and astonishment. At length they gave arms, but
 XV. not to all indiscriminately, only to as many as they
 could safely trust to guard every place, against the
 unknown enemy. As they were uncertain who the
 enemy was, and intirely ignorant of their numbers,
 they spent the remainder of the night in great per-
 plexity, posting guards in proper places through the
 whole city. At last day came and discovered both
 whence the war came, and who was at the head of it.
 Appius Herdonius from the wall of the capitol pro-
 claimed liberty to the slaves, telling them “ that he
 “ had undertaken the cause of every one in distress,
 “ with a resolution to restore those who had been
 “ unjustly banished from their native country, and
 “ to take the grievous yoke of servitude off the
 “ necks of the slaves. He wished, however, that
 “ the Roman people would of themselves do this.
 “ But if there was no hopes of relief from them, he
 “ would have recourse to the Volsci and Æqui, try
 “ all expedients, and put all their enemies in mo-
 “ tion against them.”

CHAP. THE senators and consuls now saw more clearly
 XVI. into the matter. But besides the calamities which
 presently threatned them, they were afraid that the
 Veientes and Sabines had been the authors of this
 conspiracy ; and whilst so many enemies were in the
 city, the Sabine and Hetrurian forces would imme-
 diately appear before Rome according to concert, and
 after them, that their constant enemies, the Volsci
 and Æqui, would march, not as formerly to ravage
 their lands, but even to possess themselves of their
 very city, which was in part taken. They had many
 and different grounds of fear ; but what perplexed
 them above all others, was a dread of the slaves, not
 knowing but every man had an enemy in his own
 house. It was neither safe to confide in them, nor
 by suspecting their fidelity to irritate them more.
 And to such straits were they reduced that it was scarce
 probable, that even a thorough agreement between the
 two orders of the state would enable them to ward off
 these

these impending dangers. But amidst so many greater calamities that they actually felt, and others that were still-casting up, none apprehended any evil either from tribunes or people. The disturbances these occasioned were but inconsiderable, being ever the consequences of freedom from all other calamities, and besides seemed for the present to be lulled asleep by this foreign alarm. And yet the opposition of the tribunes pressed hardest upon them in this most dangerous situation of their affairs. For such madness possessed them, that they insisted “ the war was a mere trick, and that the capitol “ had been seized only to divert the people’s minds “ from thoughts of the law, which being once pass- “ ed those clients and dependents of the patricians, “ seeing all their riotous efforts to obstruct it frus- “ trated, would steal away in greater silence than “ they had come.” With that, calling the people from their arms, they held an assembly to pass the law. In the mean time the consuls convened the senate, apprehensive of greater danger from the tribunes than from the enemy, who had alarmed them in the night.

WHEN word was brought, that the people had laid down their arms and abandoned their posts, P. Valerius, leaving his colleague to keep the senate together, left the senate-house in a great hurry and ran into the temple^a to the tribunes. “ What’s the “ meaning of this, said he, tribunes? Will you, “ under the command and conduct of Appius Her- “ donius, overturn the republic? Has he, who “ could not prevail with your slaves to join him, “ been so fortunate as to have seduced you? Does “ it seem good to you to quit your arms, and set “ about enacting laws, when the enemy is over our “ heads?” Then turning to the people, “ Romans, “ if you have no regard for the city, no regard for “ yourselves; yet sure you reverence the Gods of

^a It was usual both for the senators, tribunes, and other magistrates, to meet in some temple, or at least in places consecrated by augury.

CHAP.
XVII.

“ your country, who are prisoners to your enemy!
 “ Jupiter, the greatest and best of beings, queen
 “ Juno, Minerva, and all the other Gods and God-
 “ deesses, are actually beset, slaves are encamped
 “ round your tutelary Gods. Do you think this argues
 “ a people in their senses? While so powerful an
 “ enemy is not only within the walls, but even in
 “ the citadel overlooking the forum and place of our
 “ assemblies; the comitia in the mean time are held
 “ in the forum, the senate is met in the temple:
 “ as if we enjoyed the greatest tranquillity, the se-
 “ nator gives his opinion, and the other Romans
 “ their suffrages! Ought not rather all, patricians,
 “ plebeians, consuls, tribunes, citizens and men, to
 “ take arms and lend their help; would it not be
 “ more decent to fly to the capitol, to deliver and
 “ regain that august habitation of the great Jupiter?
 “ Do thou, O father Romulus, inspire thy descen-
 “ dants with the same courage, whereby thou for-
 “ merly recoveredst this citadel, which the Sabines
 “ had made themselves masters of by bribery. Com-
 “ mand them to enter the same way which thou first
 “ led, and thy army entered after thee. Lo! I, who
 “ am consul, as far as a mortal man can follow a
 “ God, will be the first to follow thee and thy foot-
 “ steps.” Then he concluded, “ that he would
 “ take arms, and summoned every Roman to do the
 “ same. That without regard to consular authority,
 “ tribunician power, or the sacred laws, he would
 “ treat whoever should oppose him, whatever he
 “ was, wherever he should meet him, in the capitol
 “ or in the forum, as an enemy. Since the tribunes
 “ had forbid them to arm against Appius Herdonius,
 “ they might command them to take up arms against
 “ P. Valerius the consul. He would venture to do
 “ by the tribunes, what the founder of his fami-
 “ ly had dared to do by the kings.” Every thing
 seemed to be upon the point of coming to the utmost
 violence, and that the sedition of the Romans would
 become a spectacle to the enemy. It was impossible

either to get the law enacted, or for the consul to march against the capitol. At last the night coming on put an end to the disputes which were begun. The tribunes were peaceable all night for fear of the armed partizans of the consuls. When these authors of sedition were out of the way, the senators went round amongst the people, and mingling with them where they saw them in crowds together, entered into discourses suitable to the times, admonishing them “to beware, into what extremity of danger they “plunged the republic. That the contest was not “now between the patricians and plebeians, but “both senators and commons, the citadel of Rome, “the temples of their Gods, nay their national and “domestic Gods themselves, were abandoned to their “enemies. While these measures were taking for appeasing the contentions in the forum, the consuls, in the mean time, went to post guards at the gates and walls, lest the Sabines and Veientes should come and attack the city.

CHAP.
XVII.

THAT very night accounts of the taking the citadel, surprizing the capitol, and of the other civil disturbances at Rome, were carried to Tusculum, where at that time L. Mamilius was dictator. He immediately assembled the senate, introduced the messengers, and strongly remonstrated, “that they “ought not to wait till ambassadors should come in “form from Rome to demand aid; that the very “danger and hazard, their confederate Gods and “the sacred obligation of treaties required expedition. The Gods would never give them a like opportunity of obliging so powerful and neighbouring a state.” They cheerfully consented to send them succours, and their youth were immediately mustered and armed. They reached Rome by day-break, and were taken at a distance for the Æqui and Volsci coming to attack it. When that groundless fear was dissipated, they were received into the city, and marched in a body to the forum, where P. Valerius,

CHAP.
XVIII.



lerius, having left the guard of the gates to his colleague, was already drawing up his troops. The reputation of the man had great weight with the people, when he assured them, “ that as soon as the
 “ capitol should be recovered and the city in quiet,
 “ if they would allow themselves to be informed of
 “ the secret and treacherous views concealed under
 “ the law, he would remember his ancestors, re-
 “ member his surname, which his progenitors had
 “ left as an hereditary obligation upon him to sup-
 “ port the interests of the people, and would not
 “ interrupt their assemblies.” Upon that they followed him as their leader, in spite of the strong opposition of the tribunes, and gained the top of the capitol hill, in conjunction with the Tusculan auxiliaries. These allies and the citizens strove in noble emulation, who should have the glory of recovering the citadel, and each general encouraged his own men. Then began the enemy to tremble, having nothing to rely on but the strength of the place. The confederate army of Romans and Tusculans attacked them briskly, while they were in this consternation, and had already broke into the porch of the temple, when P. Valerius, animating the battle at the head of his troops, was killed. P. Volumnius, a man of consular dignity, saw him fall, and ordering his men to cover his body, flew to put himself in the consul’s place. The Roman soldiers fought with such ardor and fury that they did not perceive their loss, and had gained the victory before they were sensible they fought without their general. Many of the exiles polluted the temple with their blood, and many of them were taken alive, but Herdonius himself was slain. And thus was the capitol regained. Every prisoner was punished suitably to his condition ^a, according as he was a freeman or slave. The Tusculans had the public thanks. The capitol was cleansed and purified ^b; and the people are said

^a The freemen were beheaded and the slaves crucified.

^b To bring armed men into the temples of the Gods was an impious pro

to have cast farthings^c into the consul's house, in order to bury him with the greater pomp.

PEACE being thus obtained, the tribunes urged the senators to perform the promise of P. Valerius. But they especially press'd Claudius "to deliver the manes of his colleague from the imputation of fraud, by allowing the law to be proposed." He absolutely refused, till they should chuse him a colleague. They continued to wrangle about this, till the comitia were held for the election of another consul. In the month of December, L. Quinctius Cincinnatus, Cæso's father, was chose consul by the vigorous efforts of the senators, and immediately entered upon his office. The plebeians were terribly alarmed, when they saw they were to have a consul, who was provoked against them, whose power was great by the favor he had with the senate, and was esteemed on account of his personal merit; and who besides had three sons not inferior to Cæso in courage, but far surpassing him in prudence and discretion, when occasion required. He no sooner entered into office, than in the speeches he daily made in his tribunal, he was as bitter in his rebukes to the senators, as he was severe in checking the insolence of the commons. "To the want of resolution in your order, said he to the senators, it is owing, that the same tribunes from year to year, not as in the Roman republic, but in some disorderly house, by their licentious speeches and scandalous impeachments domineer over every thing. Together with my son, Cæso, all merit, steadiness, and every quality that adorned youth in war or peace, had been banished and driven out of Rome. Babblers, seditious persons, and sowers of discord were, by base practices, a second, yea a third

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L. Quinctius
chosen con-
sul to supply
the place of
Valerius.

prophanation of them; it was therefore necessary to purify them. In this ceremony they used sacrifices, holy water, aspersions, and fumigations of sulphur, olive branches, laurel branches, and odoriferous herbs.

^c This was really a mark of respect for the dead consul, not that his family was reduced to want. The Roman farthing, or 4th part of an *as*, was in value almost equal to our half-penny.

" time

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“ time chosen to serve the office of tribunes, and
 “ lived like kings with lawless sway. Does that
 “ same Aulus Virginius, said he, less deserve punish-
 “ ment for not being in the capitol, than Herdo-
 “ nius for seizing it? By Hercules, who ever weighs
 “ the matter aright, will think he deserves it more.
 “ If Herdonius did no more, yet by openly declar-
 “ ing himself your enemy, he, as it were, fore-
 “ warned you to arm in your own defence. This
 “ Virginius, by denying there was any war, disarm-
 “ ed and exposed you defenceless to the mercy of
 “ your slaves and exiles. And did you, (I say it
 “ with deference to C. Claudius, and reverence to P.
 “ Valerius, who is dead) march up the hill to attack
 “ the capitol, before you had destroy’d these ene-
 “ mies, which were in the forum. Before Gods
 “ and men it is a shame, that, when enemies were
 “ in possession of the citadel and capitol, when a
 “ captain of exiles and slaves, after having pro-
 “ faned every thing, had taken up his quarters in
 “ the temple of Jupiter the good and great, arms
 “ should be taken up at Tusculum, before they were
 “ at Rome. That it should be doubtful, whether
 “ L. Mamilius, the Tusculan general, or C. Clau-
 “ dius and P. Valerius, the Roman consuls, had de-
 “ livered the citadel of Rome; and that we, who
 “ formerly would not suffer the Latines to arm,
 “ even in their own defence, when the enemy was
 “ encamped in their country, should at this time
 “ have been taken and destroyed, had not these
 “ very Latines, of their own good will, taken up
 “ arms to relieve us. Is this, O tribunes, aiding the
 “ people, to expose them unarmed to be butchered
 “ by their enemies? Truly, if the meanest wretch
 “ among your plebeians, whom ye have as it were
 “ disjoined from the rest of the people, and formed
 “ a native country of your own, and a common-
 “ wealth peculiar to yourselves; I say, if the mean-
 “ est of them should bring you account of his house
 “ being beset by a company of armed men, you
 “ would

“ would think it incumbent on you to send him suc-
 “ cours. Did Jupiter, the best and greatest of be-
 “ ings, when surrounded by armed exiles and slaves,
 “ seem unworthy to be rescued by human aid? And
 “ yet these very men insist upon being counted in-
 “ violable, who reckon not the very Gods them-
 “ selves sacred and inviolable! Do you, thus im-
 “ mersed in crimes against Gods and men, boast that
 “ you shall have your law passed this year? But I
 “ swear, that if you carry it, the day on which I
 “ was created consul was an unlucky day to the
 “ state, nay more unfortunate than that on which
 “ the consul Valerius was slain. But first of all,
 “ Romans, my colleague and I are resolved to lead
 “ the legions against the Æqui and Volsci. I know
 “ not by what fatality the Gods are more propitious
 “ to us in war than in peace. And it is better to
 “ conclude from what is past, than in reality to ex-
 “ perience what we must have suffered from those
 “ nations, had they known that the capitol was in
 “ possession of exiles.”

THE consul's speech amazed the plebeians, while
 the senators began to resume courage, believing the
 state was re-instated in its former condition. The
 other consul better at seconding than making a mo-
 tion, patiently suffered his colleague first to open this
 weighty matter, but claimed to himself a share in
 the execution of the consular office. But the tri-
 bunes, scoffing at his words as mere vamping, pro-
 ceeded to ask “ how the consuls would lead out an
 “ army; for none of their college would suffer them
 “ to make any levies.” Quinctius replied, “ we
 “ want none; seeing, at the time when Valerius
 “ armed the people to retake the capitol, they had
 “ all swore solemnly, that they would rendezvous
 “ at the consul's command, and not disband with-
 “ out his orders. Therefore we command all who
 “ took this oath to come to-morrow in arms to the
 “ lake Rigillus.” Then began the tribunes to cavil,
 and

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and would fain have absolved the people from that solemn obligation by this evasion, that Quinctius was only a private person, when they bound themselves by the oath. But the contempt of the Gods, which is so common in our age, was at that time unknown; nor did any then interpret oaths or wrest the laws to their own purposes, but strictly conformed to them as the rule of their conduct. The tribunes, therefore, seeing no hopes left of being able to hinder the levies, consulted how to delay the army's march; the rather because there was a report spread, “ that the
 “ augurs had been ordered to attend at the lake
 “ Rigillus. The place was to be consecrated ^a,
 “ where, after taking the auspices ^b, the consuls
 “ might treat with the people in order to repeal, by
 “ their votes in the comitia, whatever laws had been
 “ passed at Rome by the violence of the tribunes.
 “ That there the people would agree to whatever the
 “ consuls pleased. The right of receiving appeals did
 “ not extend beyond a mile from the city, and the
 “ tribunes jurisdiction being confined to that distance,
 “ if they should come to the place of rendezvous,
 “ they would with the rest of the people be subject
 “ to the authority of the consuls.” These things terrified them; but what disquieted them most was what Quinctius often gave out, “ that he would not
 “ assemble the comitia for the election of consuls.
 “ That the affairs of state were reduced to that extre-
 “ mity, as rendered it impracticable to retrieve them
 “ by ordinary methods; and there was a necessity
 “ for nominating a dictator in order to make them,
 “ who made it their business to disturb the tranquil-
 “ lity of the republic, sensible that there was no ap-
 “ peal from that magistrate.”

^a The decrees of the senate among the Romans were thought void and null, if passed in an unconsecrated place.

^b The Romans did nothing without first consulting the augurs, and taking the auspices. If the omens

were not favorable for the holding the comitia, or in any other case, the officers made use of the words *alio die* another day. If they were favorable they said, *addixit avis cornix*, or *corvus fecit rectum*, the birds promise good success.

IN the mean time the senate was met in the capitol, whither the tribunes came with the people in the utmost consternation. The multitude made a great clamor, imploring the compassion sometimes of the consuls and sometimes of the senators. But the consul was inflexible, till the tribunes had first promised to submit themselves for the future to what the senators should require of them. Then the consul made a motion in favor of the demands of the tribunes and people, and the senate came to the following resolutions, “ that the tribunes should neither propose
 “ their law that year, nor the consuls lead an army
 “ out of the city. That they judged it inconsistent
 “ with the interest of the state, to continue the same
 “ magistrates in office from year to year, or to elect
 “ the same persons tribunes more than once.” The consuls submitted to this decree ; but the same tribunes, in spite of the consuls remonstrances, were re-elected. The patricians, not to be behind hand with the plebeians, put Quinctius in nomination for the consulate. On no occasion did this consul exert himself, through the whole year, with greater vehemence than upon this. “ Is it any wonder,” says he, “ O conscript fathers, that your authority
 “ is contemptible to the people ? You set light by it
 “ yourselves, when because they have broke through
 “ an order of the senate by continuing the same magistrates, you would do the same, that you may not
 “ be outdone by them in temerity, as if to be unsteady and wavering was to have most power in
 “ the republic. It is greater levity and folly to infringe acts and decrees of your own making, than
 “ those of others. Tread you, O conscript fathers, in the steps of the giddy multitude, and do you, who ought to be an example to others, rather than set them a pattern of steady conduct, follow their precedents to do evil ; whilst I, disdaining to copy after the example of the tribunes, will not suffer myself to be nominated again for the consulate
 “ contrary

CHAP. XXI. “ contrary to the senate’s decree. And let me con-
 “ jure you in particular, O C. Claudius, to restrain
 “ this licentiousness of the Roman people ; and be
 “ assured by me, that I shall be so far from look-
 “ ing on your conduct herein, as obstructing my
 “ honor, that I shall count it an addition to the re-
 “ putation I shall gain by despising this dignity, and
 “ as a lessening of that ill will which being continued
 “ in that office would derive upon me.” Upon this
 the senators with common consent issued out a pro-
 clamations, “ that none should vote for L. Quinctius
 “ being consul ; if he did, his suffrage should not
 “ be regarded.”

CHAP. XXII. Q. Fabius Vibulanus and C. Cornelius Maluginen-
 ses were elected consuls. This was the third time
 Fabius had been raised to that dignity. This year a
 census^a was held, but no lustrum was made by reason
 of some religious scruples about the capitol’s having
 been polluted and the consul killed. In the beginning
 of this consulate affairs were much embroiled, for
 the tribunes excited the people to sedition, and the
 Latines and Hernici sent intelligence, that the Æqui
 and Volsci were making great preparations for war.
 The Volscan army was already come to Antium,
 which colony the Romans dreaded would revolt.
 Besides it was with great difficulty they could pre-
 vail with the tribunes to allow them to stop the pro-
 gress of this war in time. Then the consuls shared
 the provinces between them, and it was Fabius’s lot
 to march the legions to Antium, and Cornelius’s to
 stay and guard the city, lest any part of the enemy’s
 troops, as was usual with the Æqui, should come and
 ravage their lands. In the mean time the Hernici
 and Latines were commanded to furnish their quota
 of troops as stipulated by treaty. Thus two thirds of
 the army consisted of allies and one of Romans.
 These confederate troops having come at the ap-

^a This was the tenth since it’s first institution;

pointed day, the consul pitched his camp without the gate Capena; from thence, after purifying his army by sacrifice, he marched to Antium, and sat down not far from that town and the enemy's camp. Upon this the Volsci, finding the Æquan forces were not come up, and not daring to fight alone, thought only of remaining quiet in their camp, and defending themselves within their entrenchments. Next day Fabius drew up his army, not in one united body of allies and citizens, but formed them into three separate battalions of Romans, Latines and Hernici, each by themselves, round the enemies lines. He placed himself in the centre with the Roman infantry. Then he ordered them to observe the signal, that both they and the allies might at the same time begin the attack, and retire together if he should sound a retreat. After this he posted the cavalry of each people in the rear of their respective battalions. In this disposition he invested their camp in three different places, and attacking it vigorously on all sides, drove the Volsci, who were not able to sustain his charge, from their lines. Then getting immediately over the fortifications, and finding them in great consternation, and crowded together in one corner, he drove them out of their camp. As they fled thence in great disorder, the cavalry, who could not easily get over the trench, and had stood only spectators of the fight, having now got them in the open plain, shared in the victory by cutting them in pieces as they fled in great fright. Many of them were killed both within the camp and in the flight without the lines. The booty was the greater, because the enemy could scarcely carry their arms away with them; nor had a man of them escaped, had not the woods covered their flight.

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XXII.

DURING these exploits at Antium, the Æqui, in the mean time, sending the flower of their youth before, surprized the citadel of Tusculum in the night, and sat down with the rest of their army not far from the walls to intercept the enemy's forces.

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CHAP. XXIII. This news being brought by express to Rome, and from thence sent to the camp at Antium, affected the Romans as much as if they had been told that the capitol was taken. The signal service done them by the Tusculans, still fresh in their memory, and the similitude of the calamity, seemed to demand succour in return. Fabius therefore, neglecting every thing else, conveyed the booty from the camp to Antium, where he left a small garison and marched with all expedition to Tusculum, suffering his soldiers to carry nothing with them but their arms and such provisions as were ready dressed. The other consul, Cornelius, sent them provisions from Rome. The war lasted several months before Tusculum. Fabius with part of his army invested the enemy's camp, sending the rest to assist the Tusculans to recover their citadel, which was impregnable by all force. At last famine obliged the enemy to abandon it, who being reduced to the last extremity, were forced by the Tusculans to pass under the yoke naked and without their arms. The Roman consul pursued them in their shameful flight homewards, and coming up with them at Algidum, put every man of them to the sword. After this victory he led back his army ^a and encamped at Columen ^b, for so was the place then called. Cornelius likewise, seeing the city in no danger, now the enemy was defeated, marched out of Rome with the army under his command. Upon this the two consuls, entering the enemy's territories by two different ways, vied with one another in ravaging the country of the Volsci on one hand, and that of the Æqui on the other. I find in most authors that the Antiates likewise revolted this year, and that L. Cornelius fought against them and took their town. But I dare not positively affirm it, because I do not find it mentioned by any of the more ancient historians.

^a We have changed the vulgar *relato* on the authority of Rubenius. reading *relictis*, or *reliquo exercitu*, to ^b Now Colonna.

WHEN this war was ended, another with the CHAP. tribunes at home put the senators in great fright. XXIV. They exclaimed against their cunning practices in keeping the armies in the field, as done with a view to prevent the passing of the law. Yet they declared they would go through with what they had undertaken. But P. Lucretius, governor of the city, prevailed with the tribunes to stop proceeding till the arrival of the consuls. There arose likewise a new ground of contention; A. Cornelius and Q. Servilius, at that time questors, appointed M. Volscius a day to take his trial for having undoubtedly given false evidence against Cæso. For it appeared by many convincing proofs, that Volscius's brother from the time he had been taken ill, not only had never been seen abroad, but had not so much as rose out of bed, and after languishing for many months under the disease, had at last died of it: neither had Cæso been seen at Rome at the time his accuser had laid in the indictment against him, many, who served with him in the wars affirming, that he had been all that time constantly attending his colors without any furlough. And many undertook to prove it was so. But he durst not venture to stand this trial; and from all these concurring circumstances it was no more doubted that Volscius certainly would be condemned, than that Cæso had been so upon his single testimony. But the tribunes stopt the trial, refusing to let the questors hold the comitia for trying of the accused, except they were first assembled for enacting the law. Thus were both these matters deferred till the return of the consuls. And as, on the consuls entering the city in triumph with their victorious army, no mention was made of the law, most people believed that the tribunes had been terrified by their presence. On the contrary, it being the latter end of the year, they, ambitious of getting themselves elected for the fourth

S 2

time,

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time, had droped all disputes about the law, reserving themselves to make interest against next election. And notwithstanding the consuls opposed the re-election of the same tribunes as vigorously, as if a bill had been brought in for lessening their own authority; yet the tribunes got the victory in the struggle. The same year the Æqui sued for peace, which was granted them; and the census, which had been begun in the former year, was completed. This was the tenth lustration which had been made since the foundation of the city. One hundred thirty-two thousand four hundred and nine citizens were enrolled. This year the consuls gained great glory by their conduct both in peace and war, for they made peace with all their neighbours; and the state, though not entirely free from civil dissensions, was yet less embroiled than at other times.

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XXV.

L. Minucius
and C. Nautius
consuls.
Y. of R. 294.
B. J. C. 458.

THEN were L. Minucius and C. Nautius made consuls, who took under consideration the two causes which had not been determined the former year. The consuls opposed the law, and the tribunes the trial of Volscius in the same manner. But these found the new questors were men of more resolution, and had greater weight than the former. T. Quinctius, who had been thrice consul, then held that office. He had M. Valerius, the son of Valerius, and nephew to Volscus, for his colleague. Because Cæso, the flower of the Roman youth, could neither be restored to the Quinctian family nor to the republic, he justly and out of affection to his relation prosecuted the person who had borne false witness against him, and even deny'd him the liberty of pleading in his own defence. When Virginius and the other tribunes strenuously insisted on having the law passed, the consuls had the space of two months allowed them to examine it, that, after unravelling to the people the fraudulent designs concealed under it, they might suffer the suffrages to be collected for ratifying it. The granting of this respite produced a general tranquillity

tranquillity in the city. But the Æqui did not allow them to be long in quiet ; for having broken the treaty, which they had made the year before with the Romans, they gave the command of their army to Gracchus Clœlius, who was at that time by far the greatest man amongst them. Under his command therefore passing through the Lavican territories, they entered and laid waste those of Tusculum in an hostile manner, and loaden with spoil encamped at Algidum. Thither came Q. Fabius, P. Volumnus and A. Posthumus as ambassadors from Rome to complain of the injuries they had done, and to demand restitution of goods according to treaty. But the Æquan general commanded them “ to deliver the commission they had from the senate of Rome to the oak tree ; for in the meantime he had other business to mind.” The oak tree he spoke of was a large one that hung over his tent, and by it’s branches formed a cool shade. Upon which one of the ambassadors as he departed said, “ Let this sacred oak, and whatever God inhabits it, mark your breach of treaty. May they regard our present complaints, and in a little time prosper our arms, when we shall punish you for your violation of the laws both of Gods and men.” As soon as the ambassadors were returned to Rome, the senate ordered one of the consuls to march with an army to Algidum against Gracchus ; and to the other they assigned the province of laying waste the territories of the Æqui. The tribunes, as usual, opposed the levies at first, and probably would have done so to the last, but a new cause of fear was suddenly added.

A great army of Sabines advanced within a little of the walls of the city, ravaging all before them in an hostile manner. The Roman lands were laid waste, and the city was in great consternation. Then the people cheerfully took arms, and in spite of all the tribunes could do to hinder it, two great armies were levied. Nautius led one of them against the Sabines and encamped

CHAP. camped at Eretum^a, from whence sending out
 XXVI. small detachments, and these mostly in the night, he
 committed such terrible depredations, that, upon
 comparifon, the Roman territories feemed fcarcely
 to have been touched by the enemy. But Minucius
 had neither equal courage nor fuccefs in his expedi-
 tion ; for having encamped clofe by the enemy, with-
 out fuftraining any confiderable lofs, he kept within
 his camp for fear. The enemy no fooner perceived
 his cowardice, than, as ufually happens, their cou-
 rage was greatly animated. They therefore attack-
 ed his camp in the night ; but feeing open force did
 not fucceed, the next day drew lines round it. Before
 thefe were quite finifhed, and all the ways blocked up,
 five horfemen difpatched for the purpofe got through
 the enemy's centinels, and carried the accounts to
 Rome, that the conful and army were befieged. No-
 thing more unexpected or lefs looked for could have
 happened, and it occafioned as great terror and con-
 fternation at Rome, as if the city itfelf, inftead of the
 camp, had been invetted. Upon this they fent for
 the conful Nautius ; but as they could have no depen-
 dance upon him, they judged it proper to have a dicta-
 tor to retrieve their embarrassed affairs, and unani-
 moully pitched upon L. Quinctius Cincinnatus to fill
 that office. It is worth thofe perfons while, who
 defpife every human endowment in comparifon with
 riches, and think that there can be no real greatnefs or
 diftinguifhed merit without a flow of wealth, to attend
 to the following narration. This L. Quinctius, the
 fole prop of the Roman ftate, cultivated with his own
 hand four acres of land, which are called the Quinctian
 meadows^b, and lye on the other fide of the Tiber, op-
 pofite to that very place where the fhip-docks^c now

^a Eretum was a city belonging to the Sabines, and lay not far from the Tiber. Several Roman itineraries place it on a high hill in the Salarian way, now called *Monte rotundo*. Solinus fays it was built by the Greeks, who gave it the name of Eretum from *Ἐρετ*, *Juno*, to whom it was confecrated.

^b According to Pliny, this meadow lay in Agro Vaticano, between

the vineyard of Medicis, the caftle of St. Angelo, and *the gate of the people*. It is now called *Di Prati*.

^c This place was near the bridge Sublicius. King Ancus Marcius built it as a landing place for the veffels who brought wine to Rome. From thence the gate on that fide of the city was called *Porta vinaria*.

are. There was this great man found by the senate's deputies, either digging a ditch with a spade, or at plough : at least this is certain, that he was busily employed about his farm. When the usual compliments on both sides were over, they beg'd him " to put on his gown and hear the senate's message, " praying it might prove auspicious both to himself " and to the state." Upon this asking them in consternation, " if all was well ?" he desired his wife Racilia with all expedition to fetch his gown from their cottage, and after wiping off the dust and sweat with which he was besmeared, he put it on and went out to them. The deputies saluted him dictator with the usual compliments, desired him to go to the city, and informed him of the danger the army was in. A barge was sent before by the state to carry Quinctius over the river. On his landing he was first received by his three sons who had come out to meet him, and then by his other relations and friends, and the greatest part of the senators. Surrounded by this train, and preceded by the lictors, he was led to his house. There was likewise a great concourse of the commons, to whom Quinctius's arrival was no joyful sight, as they thought his power too great, and himself too severe in the exercise of his authority. And indeed they kept watch in the city all that night.

THE next morning the dictator came into the forum before day-light, and nominated, for general of the horse, L. Tarquinius, a patrician by birth, who, though on account of his poverty he had served in the infantry, was nevertheless esteemed by far the best soldier among the Roman youth. With him he mounted the rostra, proclaimed a vacation in all the courts of justice, ordered all the shops throughout the city to be shut up, and prohibited every man from following his private business. Then he commanded all capable of bearing arms to rendezvous before sun-set in the Campus Martius with their arms, provisions for five days ready dressed, and twelve

CHAP. fades apiece for making a rampart. He likewise
 XXVII. ordered each man, whom age had rendered unfit
 for service in the field, to dress provisions for the
 soldier who lived next to him, while he was getting
 ready his arms and fetching stakes. Upon this pro-
 clamations the youth dispersed themselves every where
 in quest of stakes, and took them where they came
 to hand, without any one's hindering them. They
 were all quickly ready at the place of rendezvous
 according to the dictator's orders. Then the dicta-
 tor at the head of the infantry, and the general
 of horse at the head of the cavalry, led out the
 army drawn up, not only in a disposition for march-
 ing, but fighting, if occasion should offer. Each
 corps was animated by arguments suited to the pre-
 sent emergency. They were bid "to mend their
 "pace, for it was necessary to make expedition, in
 "order, if possible, to come up with the ene-
 "my that night. They ought to consider a Ro-
 "man consul and army were besieged, and had
 "been close invested for three days. It was uncer-
 "tain what a night or a day might bring forth.
 "Even a single moment often determined the most
 "important events." To gratify their leaders the sol-
 diers called out to one another, "march on, standard
 "bearer, follow soldier." Thus they reached Algi-
 dum by midnight, and as soon as they perceived
 themselves near the enemy, made their ensigns halt.

CHAP. THEN the dictator riding round the enemy's
 XXVIII. camp, and having observed, as distinctly as the dark-
 ness of the night would permit, it's form and extent,
 ordered the tribunes to command the baggage to be
 heaped up in one place, and the soldiers to return with
 their arms and stakes into their ranks. His orders were
 quickly obey'd. Then he extended his army round
 their camp in the same good disposition as they had
 marched, commanding them all whenever the signal
 should be given, to raise a shout, and after that, every
 one to draw a ditch and raise a breast-work before
 him.

him. The signal soon followed these orders, which the army punctually observed, and their shout was heard round the enemy on all sides. The noise soon reached over the Æquan camp into the consul's, exciting great terror in the first and joy in the latter. Minucius's soldiers, congratulating one another on hearing the shouts of their fellow-citizens, and relief being at hand, of themselves put the enemy in fear from their advanced and piquet guards. The consul told them there was no time to be lost. "That the shout they had heard signified to them, not only the arrival of their fellow-citizens, but that they had already entered on action; and that it was something surprising if the enemy's lines were not by this time attacked on the outside. Therefore he commanded them to take their arms and follow him." Upon that the legions began the attack in the night, and by a shout informed the dictator that the enemy were also in danger from them on the inside. The Æqui had been preparing to prevent the dictator from raising works quite round them, but when the enemy from within began their attack, fearing they would cut their way through the middle of their camp, they turned to those who were fighting on the inside, and left the dictator's men to work the whole night without interruption. The engagement with the consul lasted till day break, by which time Quinctius had drawn his works quite round them, and they were hardly a match for one of the armies. Then the dictator's troops, who had returned on finishing their work, to their arms, attacked their lines. Here began a new battle, without any respite from the consul's army which still fought on. The Æqui, thus hard pressed by an army on both sides, threw down their arms and begged quarter, conjuring on the one side the dictator, on the other the consul, not to pursue the victory to their utter destruction, but to allow them to depart from thence without their arms. The consul commanded them to go to the dictator, who, highly provoked, heap'd

marks

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marks of infamy upon them, ordering to bring their general Gracchus Clœlius, and their other chief men to him in chains, and evacuate the city of Corbio, telling them, “that he did not want to shed their blood, “and therefore would allow them to depart. But “at the same time he would, as an express acknowledgment of their being at length a subdued and “conquered nation, oblige them to pass under the “yoke at their departure.” This yoke was made of three spears, two stuck in the ground and a third laid across them, and this the dictator made them pass under.

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HAVING taken the enemy's camp, which was plentifully furnished with all kinds of stores (for he had stript them of every thing) he gave the whole booty to his own soldiers. And after chiding the consular army and the consul himself, he told them, “nor shall you, O soldiers, have any share “in the spoils taken from an enemy, to whom you “had nigh fallen a prey. As for you, L. Minucius, till you shall begin to have that courage requisite in a consul, you shall only serve as a lieutenant general in this army.” Upon this Minucius abdicated the consulship, and staid with the army as commanded. But so chearfully did men in those days submit to the orders of abler officers, that the consular army, regarding it rather as a favor than a disgrace, decreed a crown of gold of a pound weight to the dictator, and at his departure saluted him their deliverer. The senate being convened at Rome by Q. Fabius, governor of the city, decreed that Quinctius should enter the city in triumph with the army he brought along with him. The generals of the enemy were led before his chariot, the military ensigns carried before him, and his army laden with spoil closed the procession^a. It is said, that entertainments were served up at every man's door,

^a According to the Capitoline marbles Quinctius triumphed on the ides, i. e. the 13th day of September.

and thus regaling themselves they followed his chariot singing songs of triumph, dancing, and making pastime, as they used to do at their annual feasts. The same day Mamilius, governor of Tusculum, was, by common consent, presented with the freedom of Rome. The dictator would have immediately abdicated his office, had he not resolved first to hold the comitia for convicting Volscius of having born false witness. The tribunes kept quiet for fear of the dictator, and did not offer to obstruct the trial, upon which Volscius was condemned and afterwards sent into exile to Lanuvium. Though Quintius had received the dictatorship for six months, he laid it down on the sixteenth day. In the meantime the consul Nautius fought successfully against the Sabines, and besides laying waste their country routed them in a general battle. Fabius was sent to Algidum to succeed Minucius. In the end of the year the law was again brought upon the carpet by the tribunes. But because two armies were abroad, the senators prevailed that no bills should be offered to the people, who in their turn succeeded in choosing the same tribunes a fifth time. It was then reported that wolves had been seen in the capitol and were chased away by dogs, for which it was purified.

THESE were the memorable events of this year. The consuls for the next were Q. Minucius and C. Horatius. In the beginning of it, though they enjoyed peace abroad, yet the same tribunes and the same law occasioned disturbances at home, which probably would have risen to a greater height (so much were their hearts enflamed) had not account been brought, as if it had been purposely contrived, that the garison of Corbio was surprized in the night by a sudden assault of the Æqui. Upon which the consuls assembled the senate, and order was given to levy an army with all expedition, and to send it to Algidum. Then laying aside all disputes about the law a new contest arose about the levies, in which the consular

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Q. Minucius
and C. Horatius
consuls.
Y. of R. 295.
B. J. C. 457.

CHAP. consular authority was worsted by the people with
XXX. the assistance of the tribunes, when a new cause of
 terror was added to the former. The Sabine army
 had made a descent into the Roman territories for
 plunder, and from thence were advancing even to the
 city. This struck such a terror, that the tribunes con-
 sented to the levies, but upon this express condition,
 that, as they had now been baffled for five years suc-
 cessively, and their present number was but a weak
 protection for the people, for the future ten tribunes
 of the people should be created. Necessity extort-
 ed this from the senators, with this single restri-
 ction, that they should not henceforth re-elect the
 same persons to be tribunes. Immediately the co-
 mitia were held for electing ten tribunes, for fear,
 like other things, it should not take effect when
 the war was ended. Thus in the thirty-sixth year
 after the first creation of tribunes, were ten created,
 two out of each class, and care was taken ever after
 to chuse them in this manner. Upon which the
 levies were made, and Minucius marched against the
 Sabines, but did not meet with them. The Æqui,
 after putting the garison of Corbio to the sword, hav-
 ing likewise taken Ortona, Horatius fought them at
 Algidum, killed many of their men, drove them not
 only from thence, but out of the two forementioned
 cities, and razed Corbio, because it's inhabitants had
 betrayed the garison.

CHAP. AFTER that were M. Valerius and Sp. Virgi-
XXXI. nius made consuls. Rome then enjoyed peace both
 at home and abroad ; but the rains which fell occa-
 sioned a great scarcity of provisions. A law was
 likewise passed for making mount Aventine common.
 The same tribunes were rechosen, who in the fol-
 lowing year and consulate of T. Romilius and C. Ve-
 turius proposed the law in all their assemblies, say-
 ing, they should be ashamed of having had their
 number augmented in vain, if that affair was to be
 eluded all the two years of their tribuneship, as it
 had been during the five preceding years. While
 the

M. Valerius
 and Sp. Vir-
 ginus con-
 suls.

Y. of R. 296.

B. J. C. 456.

T. Romilius
 and C. Vetur-
 rius consuls.

Y. of R. 297.

B. J. C. 455.

the tribunes were wholly intent upon this affair, an express arrived from Tusculum, with account that the Æqui had invaded that country. The late eminent service that nation had done the Romans made them ashamed to delay sending succours thither, and therefore both consuls were detached with an army, who found the enemy in their ordinary camp at Algidum. There they attacked and killed above seven thousand of them, put the rest to flight, and got a great booty, which the consuls sold, because of the want of money in the treasury. Yet this proceeding raised a great deal of ill-will in the army, and in the end furnished the tribunes with matter of accusing the consuls before the people. As soon therefore as they were out of office both had a day appointed for their trial, under the consulship of Sp. Tarpeius and A. Ardonius. Romilius was prosecuted by the tribune C. Claudius Cicero, as was Veturius by L. Allienus, ædile of the people. Their condemnation extremely exasperated the senators. Romilius was fined ten thousand and Veturius fifteen thousand brass asses. But this misfortune which befel these former consuls did not make their successors less active, who swore, that though they should likewise be condemned, yet the people and tribunes should not be allowed to carry their law. Upon this the tribunes, dropping the law, which was now grown stale by being often published, assumed a milder behaviour towards the senators, begging them, “ at length to put an end to all contests, and since the plebeian laws displeased them, to allow indifferent lawgivers, part plebeians and part patricians, to be created, who might enact laws for the common benefit, and equally securing the liberty of both ranks ” The senators did not slight this proposal, but insisted that none but patricians had a right to enact laws. When therefore they were agreed upon the laws, the sole dispute was who should be the law-makers. And in the end Sp. Posthumius Albus, A. Manlius and P. Sulpicius Camerinus were sent as deputies to Athens to

Sp. Tarpeius
and A. Ardo-
nius consuls.
Y. of R. 298.
B. J. C. 454.

to copy the celebrated laws of Solon^a, and to learn the statutes, customs and laws of the other states of Greece.

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XXXII.

P. Curatius
and Sex.

Quintilius
consuls.

Y. of R. 299.

B. J. C. 453.

NO foreign war disturbed the Romans this year. The following was still more peaceable in the consulate of P. Curatius and Sextus Quintilius; for the tribunes were then very quiet, in the first place because the ambassadors were gone to Athens, and in expectation of foreign laws, and in the next place on account of two grievous calamities, which broke out, famine and pestilence, pernicious both to man and beast. Their lands lay desolate, the city was thin'd by daily burials, and many and honorable houses in mourning. Ser. Cornelius high priest of Romulus died, as did the augur C. Horatius Pulvillus, in whose room the augurs chose C. Veturius, the rather because he had been condemned by the people. Quintilius the consul and four tribunes of the people likewise died, and thus was the year polluted by a great mortality. In the mean time their enemies gave them no disturbance. In the following, C. Menenius and P. Sestius were created consuls. Neither had they any foreign war, but intestine commotions broke out. By this time the ambassadors were returned with the Athenian statutes, and on that account the tribunes were more pressing in their instances for beginning to draw up a complete body of laws. Then was it thought convenient to create decemvirs from whose judgment there should be no appeal, and that there should be no other magistrates that year. For some time it was warmly debated, whether plebeians should be joined in that commission, but in the end it was given up to the patricians upon condition the Icilian law about mount Aventine, and other sacred laws should not be repealed.

C. Menenius
and P. Sestius
consuls.

Y. of R. 300.

B. J. C. 453.

^a One of the seven wise men of Greece. He was contemporary with Tarquinius Priscus, and about the time of that king's reign gave the Athenians a body of wise and wholesome laws. A. Gel. xvii. 21.

IN the 301st year after the building of Rome, CHAP. was the form of government changed from that of XXXIII. consuls to that of decemvirs, as it had formerly been from regal to consular. This revolution was the less memorable as it did not continue long. Upon the first establishment of this form of government the public joy was very extravagant, but the tyranny of the decemvirs hastened it's downfall, and the restoration of consular government both in name and authority. Appius Claudius, T. Genucius, P. Sestius, L. Veturius, C. Julius, A. Manlius, Ser. Sulpicius, P. Curatius, T. Romilius and Sp. Posthumius were created decemvirs. This honor was conferred on Claudius and Genucius as a recompence for their having been nominated consuls for that year, and on Sestius, one of the consuls the year before, because he had brought that affair before the senate against his colleague's will. After them were named the three deputies who had gone to Athens, as an honorable reward for their distant embassy, and because they supposed that those, who were well skilled in the laws of other countries, would be useful in compiling new ones at home. The others mentioned above completed the number. It is moreover asserted, that those who were nominated last of all, were persons so far advanced in years, that they were not able resolutely to combat the opinions of the others. By the favor of the people Appius had the chief sway in the decemvirate; for he had so new modelled his temper, that of a cruel and severe persecutor of the plebeians, he was now become one of their greatest patrons and studied popularity in every respect. Each of these new magistrates administered justice to the people every tenth day, with the fasces carried before him whose turn it was to preside, the other nine being that day only attended each by a single officer^a. And during this harmony amongst themselves (which often proves

First decemvirate Ap. Claudius, T. Genucius, P. Sestius, L. Veturius, C. Julius, A. Manlius, Ser. Sulpicius, P. Curatius, T. Romilius and Sp. Posthumius.
Y. of R. 301.
B. J. C. 452.

^a This officer was called *accensus*.

CHAP. prejudicial to private persons) they behaved towards
 XXXIII. others with the strictest justice. It shall be sufficient
 to mention one affair as a proof of their moderation. Notwithstanding they had been created without any appeal from their judgment, yet upon a dead body's being found and dug out of the house of P. Sestius, a patrician by birth, and it's being exposed in the public assembly, in so manifest and so atrocious a case, C. Julius a decemvir appointed him a day for taking his trial; and though he himself was the legal judge of that cause, yet he became his prosecutor before the people, yielding his own right, that he might add to the right of the people what he had remitted of his own decemviral authority.

CHAP. WHILE both high and low extolled to the
 XXXIV. skies this form of government, which rendered justice to every one with the greatest readiness and the impartiality of an oracle, the decemvirs set about compiling a body of laws. At length they gratified all men's expectations by calling an assembly, and exposing to view ten tables of laws; and after praying
 “ that it might prove beneficial, fortunate and auspicious to the state, to themselves and their posterity, desired them to go and read the laws they
 “ had proposed. For their own parts, as far as
 “ the united skill of ten men could discern, they
 “ had equally adapted them to the circumstances
 “ of both high and low; but the judgment and discernment of many was able to penetrate farther.
 “ Therefore they begg'd that the people should
 “ ponder with themselves each article, confer together about them, and then declare in public, what
 “ they should think superfluous or defective in each
 “ clause; by this means the Romans might have
 “ such laws, as they had not merely passed when
 “ proposed by others, but had rather concerted
 “ themselves.” When each clause had remarks made upon it, in these conferences of the people,

ple, and the whole seemed amended to the general satisfaction, ten tables of laws^a were ratified in the comitia

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^a We shall here give the reader laws, as collected by the fathers Ca-
the scattered remains of this body of trou and Rouillé.

T A B L E I.
OF LAW-SUITS.

I. LAW. Go immediately with the person who cites you before the judge.

II. LAW. If the person you cite refuses to go with you before the judge, take some that are present to be witnesses of it, and you shall have a right to compel him to appear.

III. LAW. If the person cited endeavours to escape from you, or puts himself into a posture of resistance, you may seize his body.

IV. LAW. If the person prosecuted be old, or infirm, let him be carried in a jumentum, or open carriage. But if he refuse that, the prosecutor shall not be obliged to provide him an ardera, or a covered carriage.

V. LAW. But if the person cited find a surety, let him go.

VI. LAW. Only a rich man shall be security for a rich man. But any security shall be sufficient for a poor man.

VII. LAW. The judge shall give judgment according to the agreement made between the two parties; by the way.

VIII. LAW. If the person cited has made no agreement with his ad-

versary, let the prætor hear the cause from sun-rising till noon; and let both parties be present when it is heard, whether it be in the forum, or comitium.

IX. LAW. Let the same prætor give judgment in the afternoon, though but one of the parties be present.

X. LAW. Let no judgments be given after the going down of the sun.

XI. LAW. When the parties have pitched upon a judge or arbitrator by consent, let them give securities, that they will appear. Let him who does not appear in court pay the penalty agreed upon, unless he was hindered by some great fit of sickness, or by the performance of some vow, or by business of state, or by some indispensable engagement with a foreigner. If any one of these impediments happen to the judge or arbitrator, or either of the parties, let the hearing be put off to another day.

XII. LAW. Whoever shall not be able to bring any witnesses to prove his pretensions before the judge, may go and make a clamor for three days together, before his adversary's house.

T A B L E II.
OF ROBBERIES.

I. LAW. He that is attacked by a robber in the night, let him not be punished if he kills him.

II. LAW. If the robbery be committed by day, and if the robber be taken in the fact, let him be beaten with rods, and become the slave of him whom he robbed. If the robber be a slave already, let him be beaten with rods, and thrown down headlong from the top of the capitol. If he be a child, under the age of puberty, let him be corrected, according to the prætor's discretion, and let reparation be made to the injured party.

III. LAW. When robbers attack any person with arms, if the person attacked has cried out for help, he shall not be punished if he kills the robbers.

IV. LAW. When upon a legal search, any stolen goods are found in a house, the robbery shall be punished upon the spot, as if openly and publicly committed.

V. LAW. For robberies committed privately, the robber shall be condemned to pay double the value of the things stolen.

VI. LAW. Whoever shall cut down trees, which don't belong to him, he shall

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shall pay 25 asses of brass, for every tree so felled.

VII. LAW. If any one comes privately, by night, and treads down another man's field of corn, or reaps his harvest, let him be hanged up, and put to death, as a victim devoted to Ceres. But if he be a child, under the age of puberty, let the prætor order him to be corrected as he shall think fit, or let double satisfaction be made for the damage he has done.

VIII. LAW. If a robber and the person robbed agree together upon terms of restitution, no farther action shall lie against the robber.

IX. LAW. Prescription shall never be pleaded as a right to stolen goods, nor shall a foreigner have a right to the goods of any Roman citizen, by

the longest possession.

X. LAW. If any one betrays his trust, with respect to what is deposited in his hands, let him pay double the value of what was so deposited, to him who entrusted him with it.

XI. LAW. If any one finds any of his goods in another man's possession, who became possessed of them by a breach of trust, let the prætor nominate three arbitrators to judge of it. And let the wrongful possessor pay double the value of what he has gained by detaining them.

XII. LAW. If a slave has committed a robbery, or done any damage, with the privity and at the instigation of his master, let the master deliver up the slave to the person injured, by way of compensation.

TABLE III.

OF LOANS, AND THE RIGHT OF CREDITORS OVER THEIR DEBTORS.

I. LAW. Let him who takes more than one *per Cent.* interest for money, be condemned to pay four times the sum lent.

II. LAW. When any person acknowledges a debt, or is condemned to pay it, the creditor shall give his debtor thirty days for the payment of it: after which he shall cause him to be seized, and brought before a judge.

III. LAW. If the debtor refuses to pay his debt, and can find no security, his creditor may carry him home, and either tie him by the neck, or put irons upon his feet, provided the chain does not weigh above fifteen pounds; but it may be lighter, if he pleases.

IV. LAW. If the captive debtor

will live at his own expence, let him; if not, let him who keeps him in chains allow him a pound of meal a day, or more, if he pleases.

V. LAW. The creditor may keep his debtor prisoner for sixty days. If in this time the debtor does not find means to pay him, he that detains him shall bring him out before the people three market-days, and proclaim the sum, of which he has been defrauded.

VI. LAW. If the debtor be insolvent to several creditors, let his body be cut in pieces on the third market-day. It may be cut into more or fewer pieces with impunity: or, if his creditors consent to it, let him be sold to foreigners beyond the Tyber.

TABLE IV.

OF THE RIGHT OF FATHERS OF FAMILIES.

I. LAW. Let a father have the power of life and death over his legitimate children, and let him sell them when he pleases.

II. LAW. But if a father has sold his son three times, let the son then be out of his father's power.

III. LAW. If a father has a child born, which is monstrously deformed,

let him kill him immediately.

IV. LAW. Let not a son, whose father has so far neglected his education as not to teach him a trade, be obliged to maintain his father in want; otherwise let all sons be obliged to relieve their fathers.

V. LAW. Let not a bastard be obliged to work to maintain his father.

TABLE V.

OF INHERITANCES AND GUARDIANSHIPS.

I. LAW. After the death of a father of a family, let the dispo-

sition he made of his estate, and his appointment concerning the guardianship

dianship of his children, be observed.
II. LAW. If he dies intestate, and has no children to succeed him, let his nearest relation be his heir; if he has no near relation, let a man of his own name be his heir.

III. LAW. When a freedman dies intestate, and without heirs, if his patron be alive, or has left children, let the effects of the freedman go to the family of his patron.

IV. LAW. After the death of a debtor, his debts shall be paid by his heirs, in proportion to the share they have

in his inheritance. After this they may divide the rest of his effects, if they please, and the prætor shall appoint three arbitrators to make the division.

V. LAW. If a father of a family dies intestate, and leaves an heir under age, let the child's nearest relation be his guardian.

VI. LAW. If any one becomes mad, or prodigal, and has no body to take care of him, let a relation, or if he has none, a man of his own name, have the care of his person and estate.

TABLE VI.

OF PROPERTY AND POSSESSION.

I. LAW. When a man conveys his estate to another, let the terms of the conveyance create the right.

II. LAW. If a slave, who was made free on condition of paying a certain sum, be afterwards sold, let him be set at liberty, if he pay the person who has bought him, the sum agreed upon.

III. LAW. Let not any piece of merchandize, though sold and deliver-

ed, belong to the buyer, till he has paid for it.

IV. LAW. Let two years possession amount to a prescription for lands, and one for moveables.

V. LAW. In litigated cases the presumption shall always be on the side of the possessor: and in disputes about liberty or slavery, the presumption shall always be on the side of liberty.

TABLE VII.

OF TRESPASSES AND DAMAGES.

I. LAW. If a beast does any damage in a field, let the master of the beast make satisfaction, or give up his beast.

II. LAW. If you find a rafter or pole which belongs to you, in another man's house or vineyard, and they are made use of, don't pull down the house, or ruin the vineyard; but make the possessor pay double the value of the thing stolen; and when the house is destroyed, or the pole taken out of the vineyard, then seize what's your own.

III. LAW. Whoever shall maliciously set fire to another man's house, or an heap of corn near his house, shall be imprisoned, scourged, and burnt to death. If he did it by accident, let him repair the damage: and if he be a poor man, let him be slightly corrected.

IV. LAW. Whoever shall deprive another of the use of a limb, shall be punished according to the law of retaliation, if the person injured does not agree to accept some other satisfaction.

V. LAW. If he has only dislocated a bone, let him pay three hundred

pounds of brass if the sufferer be a freedman, and a hundred and fifty if he be a slave.

VI. LAW. For common blows with the fist, and injurious words, the punishment shall be twenty-five asses of brass.

VII. LAW. Whoever slanders another by words, or defamatory verses, and injures his reputation, shall be beaten with a club.

VIII. LAW. Let him who has once been a witness, and refuses to bear witness again, though a public person, be deemed infamous, and made incapable of bearing witness any more.

IX. LAW. Let every false witness be thrown down headlong from the capitol.

X. LAW. Whoever shall wilfully kill a freedman, or shall make use of magical words to hurt him, or shall have prepared poison for him, or given it to him, shall be punished as an homicide.

XI. LAW. Let all parricides be thrown into the river, sewed up in a leather-bag, and with their heads veiled.

XII. LAW. The guardian who man-

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nages the affairs of his ward ill, shall be reprimanded ; and if he be found to have cheated him, he shall restore double.

XIII. LAW. A patron who shall have defrauded his client, shall be execrable.

TABLE VIII.

OF ESTATES IN THE COUNTRY.

I. LAW. Let the space of two foot and a half of ground be always left between one house and another.

II. LAW. Societies may make what by-laws they please among themselves, provided they don't interfere with the public laws.

III. LAW. When two neighbours have any disputes about their bounds, the prætor shall assign them three arbitrators.

IV. LAW. When a tree planted in a field does injury to an adjoining field by it's shade, let it's branches be cut off fifteen foot high.

V. LAW. If the fruit of a tree falls into a neighbouring field, the owner of the tree may go and pick it up.

VI. LAW. If a man would make a drain, to carry off the rain-water from his ground to his neighbour's, let the prætor appoint three arbitrators, to judge of the damage the water may do, and prevent it.

VII. LAW. Roads shall be eight foot wide, where they run strait, and where they turn, sixteen.

VIII. LAW. If a road between two fields be bad, the traveller may drive through which field he pleases.

TABLE IX.

OF THE COMMON RIGHTS OF THE PEOPLE.

I. LAW. Let not privilege be granted to any person.

II. LAW. Let both debtors who are got out of slavery, and strangers who have rebelled, and returned to their duty, be restored to their ancient rights, as if they had never offended.

III. LAW. It shall be a capital crime for a judge or arbitrator to take money for passing judgment.

IV. LAW. Let all causes, relating to the life, liberty, or rights of a Roman citizen, be tried only in comitia by centuries.

V. LAW. Let the people appoint

quæstors, to take cognizance of all capital cases.

VI. LAW. Whoever shall hold seditious assemblies in the city, by night, shall be put to death.

VII. LAW. Let him who shall have solicited a foreigner to declare himself against Rome, or shall have delivered up a Roman citizen to a foreigner, lose his life.

VIII. LAW. Let only the last laws of the people be in force. [*i. e. let the last supersede all former ones, in the same case made and provided.*]

TABLE X.

OF FUNERALS, AND ALL CEREMONIES RELATING TO THE DEAD.

I. LAW. Let no dead body be interred, or burnt, within the city.

II. LAW. Let all costliness and excessive wailings be banished from funerals.

III. LAW. Let not the wood, with which funeral-piles are built, be cut with a saw.

IV. LAW. Let the dead body be covered with no more than three habits, bordered with purple ; and let no more than ten players upon the flute be employ'd in celebrating the obsequies.

V. LAW. Let not the women tear their faces, or disfigure themselves, or

make hideous outcries.

VI. LAW. Let not any part of a dead body be carried away, in order to perform other obsequies for the deceased, unless he died in war, or out of his own country.

VII. LAW. Let no slaves be embalmed after their death ; let there be no drinking round a dead body ; nor let any perfumed liquors be poured upon it.

VIII. LAW. Let no crowns, festoons, perfuming-pots, or any kind of perfume, be carried to funerals.

IX. LAW. If the deceased has merited a crown in the public games, by any

comitia by centuries ^b, and these are even to this day, amidst the immense heap of laws accumulated upon

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any exploit of his own, or the expertness of his slaves, or the swiftness of his horses, let his panegyric be made at his funeral, and let his relations have leave to put a crown upon his head, as well during the seven days he remains in the house, as when he is carried to be buried.

X. LAW. Let no man have more than one funeral made for him, or than one bed put under him.

XI. LAW. Let no gold be used in obsequies, unless the jaw of the de-

ceased has been tied up with a gold thread. In that case the corps may be interred or burnt with the gold thread.

XII. LAW. For the future, let no sepulchre be built, or funeral-pile raised within sixty feet of any house, without the consent of the owner of the house.

XIII. LAW. Prescription shall never be pleaded against a man's right to his burial place, or the entrance to it.

^b The *comitia centuriata* were instituted by Servius Tullius; who obliging every one to give a true account of what they were worth, according to those accounts divided the people into six ranks, or classes, which he subdivided into one hundred and ninety-three centuries. The first classis, containing the equites and richest citizens, consisted of ninety-eight centuries. The second, taking in the tradesmen and mechanics, made up two and twenty centuries. The third, the same number. The fourth, twenty. The fifth, thirty. And the last, filled up with the poorer sort, had but one century.

And this, though it had the same name with the rest, yet was seldom regarded, or allowed any power in public matters. Hence 'tis a common thing with the Roman authors, when they speak of the classes, to reckon no more than five, the sixth not being worth their notice. This last classis was divided into two parts or orders, the *proletarii*, and the *capite censi*. The former, as their name implies, were design'd purely to stock the commonwealth with men, since they could supply it with so little money. And the latter, who paid the lowest tax of all, were rather counted and marshal'd by their heads, than their estates.

Persons of the first rank, by reason of their pre-eminence, had the name of *classici*; whence came the phrase of *classici auctores*, for the most approv'd writers. All others, of what classis soever, were said to be *infra classem*.

The assembly of the people by centuries was held for the electing of consuls, censors, and prætors; as also for the judging of persons accus'd of what they call'd *crimen perduellionis*, or actions by which the party had shew'd himself an enemy to the state; and for the confirmation of all such laws as were propos'd by the chief magistrates, and which had the privilege of calling these assemblies.

The place appointed for their meeting was the *campus martius*; because in the primitive times of the commonwealth, when they were under continual apprehensions of enemies, the people, to prevent any sudden assault, went arm'd, in martial order, to hold these assemblies; and were for that reason forbid by the laws to meet in the city, because an army was upon no account to be marshal'd within the walls: yet in latter ages, 'twas thought sufficient to place a body of soldiers as a guard in the *janiculum*, where an imperial standard was erected, the taking down of which, denoted the conclusion of the comitia.

Though the time of these comitia for other matters was undetermin'd; yet the magistrates, after the year of the city 601, when they began to enter on their place on the calends of January, were constantly design'd about the end of July, and the beginning of August.

All the time between their election and confirmation, they continu'd as private persons, that inquisition might be made into the election, and the other candidates might have time to

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upon one another, the source of all public and private right. Then a report was spread, that two tables were still wanting, the addition of which, would make the body of Roman laws complete. This expectation, when the day for a new election approached, made them desirous of electing decemvirs a second time. For besides that the name of consul was as odious as that of king, the commons did not now desire the protection of their

enter objections, if they met with any suspicion of foul dealing.

Yet at the election of the censors, this custom did not hold; but as soon as they were pronounced elected, they were immediately invested with the honor.

By the institution of these comitia, Servius Tullius secretly convey'd the whole power from the commons: For the centuries of the first and richest class being call'd out first, who were three more in number than all the rest put together, if they all agreed, as generally they did, the business was already decided, and the other classes were needless and insignificant. However the three last scarce ever came to vote.

The commons, in the time of the free state, to rectify this disadvantage, obtain'd, that before they proceeded to voting any matter at these comitia, that century should give their suffrages first, upon whom it fell by lot, with the name of *centuria prærogativa*, the rest being to follow according to the order of their classes. After the constitution of the five and thirty tribes, into which the classes and their centuries were divided, in the first place, the tribes cast lots, which should be the prerogative-tribe; and then the centuries of the tribe, for the honor of being the prerogative-century. All the other tribes and centuries had the appellation of *jure vocatae*, because they were call'd out according to their proper places.

The prerogative century being chose by lot, the chief magistrate sitting in a tent in the middle of the campus martius, order'd that century to come out and give their voices; upon which they presently separated from the rest of the multitude, and came into an enclosed apartment, which they term'd

septa, or *ovilia*; passing over the pontes, or narrow boards, laid there for the occasion; on which account, *de ponte dejici* is to be deny'd the privilege of voting, and persons thus dealt with, are call'd *de pontani*.

At the hither end of the pontes, stood the diribitores (a sort of under-officers, called so from dividing or marshalling the people) and deliver'd to every man, in the election of magistrates, as many tablets as there appear'd candidates, one of whose names was written upon every tablet.

A fit number of great chests were set ready in the *septa*, and every body threw in which tablet he pleas'd.

By the chests were placed some of the public servants, who taking out the tablets of every century, for every tablet made a prick, or a point, in another tablet which they kept by them. Thus the business being decided by most points, gave occasion to the phrase of *omne tulit punctum*, and the like.

The same method was observ'd in the judiciary processes at these comitia, and in the confirmation of laws; except that in both these cases only two tablets were offered to every person, on one of which was written U. R. and on the other A. in capital letters; the two first standing for *ut rogas*, or, *be it as you desire*, relating to the magistrate who propos'd the question; and the last for *antiquo*, or, *I forbid it*.

'Tis remarkable, that though in the election of magistrates, and in the ratification of laws; the votes of that century, whose tablets were equally divided, signified nothing; yet in trials of life and death, if the tablets *pro* and *con* were the same in number, the person was actually acquitted.

tribunes,

tribunes, seeing the decemvirs suffered appeals from one another's sentences.

THE day of assembly for electing new decem-
virs being fixed twenty-seven days after, there was
such canvassing for that office as had never been
known. For the principal men of the state (for
fear, I believe, that an office of so great authority,
if not supplied by themselves, should lye open to
persons unworthy of it) made interest for that ho-
norable office, the establishment whereof they them-
selves had opposed with all their might, humbly
suing to that very people with whom they had
contended about it. Appius was terribly alarm'd,
when he saw men of their rank and years, and
who had served in such honorable employment, so
warm in pursuit of this. One could not well say,
whether he was to be reckoned in the number of
the present decemvirs, or of the candidates for the
ensuing election ; for he more resembled one su-
ing for, than one actually bearing an office. He
disparaged the nobility, but extolled the lowest and
meanest of the competitors, flying through the fo-
rum in the midst of the Duilii and Icilii, by them
making his court to the people, till at length his
colleagues, who to that time had been entirely at
his devotion, began to observe him narrowly, won-
dering what his design could be. It appeared to
them, that he was acting the hypocrite ; for said
they, “ It must be from interested views that one so
“ excessively haughty was become so courteous. To
“ restrain himself so much contrary to his nature
“ within the bounds of civility, and to associate
“ openly with private persons, did not look so like
“ making haste to abdicate, as seeking the means to
“ continue in his magistracy.” They durst not
openly venture to oppose his ambitious designs, but en-
deavoured to stop his career by a feigned compliance.
For though he was the youngest man among them,
they unanimously appointed him to preside in the

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Second de-
cemvirate
Ap. Clau-
dius, M.
Cornelius
Maluginen-
fis, M. Ser-
gius, L. Mi-
nucius, Q.
Fabius Vibu-
lanus, Q.
Pætilius, T.
Antonius
Merenda,
Cæso Dui-
lius, Sp. Op-
pius Corni-
cen, and
Manlius Ra-
buleius.

comitia at the election. This was a stratagem to exclude him from the decemvirate except he should name himself, which had never been done before by any but tribunes of the people, and even that was a most shameful precedent. Nevertheless he having declared he would hold the comitia, which he hoped would prove fortunate, turned the obstacles thrown in his way into means of success; for having by his intrigues set aside the two Quinctii, Capitolinus and Cincinnatus, and his uncle C. Claudius, a man always firmly attached to the interest of the nobility, and other citizens of the same distinction, he created men decemvirs, no wise to be compared with them, either in dignity or character, and nominated himself first, an action which all good men disapproved, and nobody believed he would have had the impudence to have done. His colleagues were M. Cornelius Maluginensis, M. Sergius, L. Minucius, Q. Fabius Vibulanus, Q. Pætilius, T. Antonius Merenda, Cæso Duilius, Sp. Oppius Cornicen, and Manlius Rabuleius.

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Y. of R. 302.
B. J. C. 451.

HERE Appius laid aside his assumed character, and began from henceforth to live agreeably to his real temper, and to model his new colleagues, even before they should enter upon their magistracy, to his own manners. They daily held secret meetings, and having by this means completed tyrannical schemes, which they hatched remote from the knowledge of other people, they no longer concealed their haughtiness, but few were admitted to their presence, and those who were they treated with insolence, and thus the time was spun out till the ides of May, which was then the time of entering upon office. Therefore in the very beginning of their magistracy, they signalized the first day of their office by spreading a general and great terror among the people. For whereas the former decemvirs had observed this rule, that one only should have the fasces at a time, and that this ensign of royalty should pass in rotation through them all to each in his turn, they, on the contrary, all suddenly ap-
peared

peared with twelve fasces a-piece. The forum was filled with one hundred and twenty lictors, carrying axes tied up in their fasces. Nor did they think it concerned them to keep back the axes, since they had been created without appeal. They had the appearance of ten kings, and not only struck an additional terror into people of lowest rank, but even into the principal members of the senate, who imagined they sought for grounds and pretexts to begin a massacre: that if any one, either in the senate, or assemblies of the people should mutter a word, tending to recal the remembrance of liberty, they might be immediately scourged or beheaded, to strike terror into others. For besides that no relief could be had from the people, now the right of appeal to them was taken away, they had by agreement taken away all hopes of having the injuries of one redressed by another; whereas the former decemvirs had suffered their verdicts to be amended by an appeal to some of their colleagues, nay transfer'd causes to the judgment of the people, which seemed properly to be under their own cognizance. For some time they struck terror equally into all ranks, but by degrees began to turn it all against the populace. They did not meddle with the patricians; but formed tyrannical and cruel designs against those of lower rank, regarding the person not the cause, like those who are swayed by favor and not by equity. They concerted their judgments at home, and only pronounced them in the forum. If any appealed from one decemvir's judgment to his colleague, he to whom he had appealed for redress, gave him reason to repent that he had not abode by the verdict of the former. There was also a report spread, though the author could not be discovered, that they had not only conspired this tyranny for the present time, but had secretly entered into an association under oath, not to assemble the comitia for a new election of magistrates, but, since they had once got possession of the sovereign power, to perpetuate their decemvirate.

THEN

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THEN the people fixed their eyes upon the patricians, to see if they could discover any hopes of liberty in the countenances of those from whom they had dreaded slavery, and by these suspicions sunk the republic into it's present deplorable condition. The principal senators hated both decemvirs and people, and though they were far from approving of what was done, yet thought the people richly deserved this fate. And seeing by greedily grasping at liberty they had plunged themselves into servitude, they had no inclination to succor them ; nay they heaped injuries upon them, that, being quite weary of the present tyrants, they might at last come to wish for the re-establishment of two consuls and the ancient form of government. The greater part of the year was now past, and two tables of laws^a were added to the ten made in the preceding

^a T A B L E X I.

OF THE WORSHIP OF THE GODS, AND OF RELIGION.

I. LAW. Let all persons come with purity and piety to the assemblies of religion, and banish all extravagance from thence. If any one does otherwise, may the Gods themselves revenge it.

II. LAW. Let no person have particular Gods of his own ; or worship any new or foreign ones in private, unless they are authorized by public authority.

III. LAW. Let every one enjoy the temples consecrated by his fore-fathers, the sacred groves in his fields, and the oratories of his lares. And let every one observe the rites used in his own family, and by his ancestors, in the worship of his domestic Gods.

IV. LAW. Honor the Gods of heaven, not only those who have always been esteemed such, but those likewise whose merit has raised them thither, as Hercules, Bacchus, Æsculapius, Castor, Pollux, and Remulus.

V. LAW. Let those commendable qualities, by which heroes obtained heaven, be ranked among the Gods, as understanding, virtue, piety, fidelity ; and let temples be erected to them. But let no worship ever be paid to any vice.

VI. LAW. Let the most authorized ceremonies be observed.

VII. LAW. Let law-suits be suspended on festivals ; and let the slaves have leave to celebrate them after they have done their work. That it may be known on what days they fall, let them be set down in the calendars.

VIII. LAW. Let the priests offer up in sacrifice to the Gods, on certain days, the fruits of the earth, and berries : and on other days abundance of milk, and young victims. For fear this ceremony should be omitted, the priests shall end their year with it. Let them likewise take care to choose for every God, the victim he likes. Let there be priests appointed for some Gods, flamines for others, and pontifices to preside over them all.

IX. LAW. Let no woman be present at the sacrifices which are offered up in the night, except at those which are made for the people, with the usual ceremonies. Nor let any one be initiated in any mysteries brought from Greece, but those of Ceres.

X. LAW. If any one steals what belongs, or is devoted to the Gods, let him be punished as a parricide.

XI. LAW. Leave perjury to be punished with death by the Gods, and let

ing year ; and after these laws should be once ratified in the comitia by centuries, the state would no longer have occasion for decemvirs. Therefore it was expected, that a proclamation would be immediately issued out for assembling the comitia to create consuls. The people were wholly taken up in concerting measures for restoring the tribunician power, that bulwark of their liberty, which had been discontinued during the decemvirate. But in the mean time no mention was made of assembling the comitia, and the decemvirs, who, at first, had paid their court to the people surrounded by the tribunes, because that was reckoned a popular thing, had now got a band of young patricians about them. A company of these constantly guarded their tribunals, and made havock of the people, and disposed of their effects at pleasure ; and whatever any great man coveted fortune put him in possession of it : they did not even spare their persons, but whipt some and beheaded others. And that this cruelty might not go unrewarded, they were presented with the effects of the person oppressed, the

let it be punished with perpetual disgrace by men.

XII. LAW. Let the pontifices punish incest with death.

XIII. LAW. Let every one strictly perform his vows : but let no wicked person dare to make any offerings to the Gods.

XIV. LAW. Let no man dedicate his field to the service of the altar ; and let him be discreet in his offerings of gold, silver, or ivory. Let no man de-

dicare a litigated estate to the Gods : if he does, he shall pay double the value of it to him whose right it shall appear to be.

XV. LAW. Let every man constantly observe his family-festivals.

XVI. LAW. Let him who has been guilty of any of those faults, which make men execrable, and are not to be atoned for, by expiations, be deemed impious. But let the priests expiate such, as are to be expiated.

T A B L E XII.

OF MARRIAGES, AND THE RIGHT OF HUSBANDS.

I. LAW. When a woman shall have cohabited with a man for a whole year, without having been three nights absent from him, let her be deemed his wife.

II. LAW. If a man catches his wife in adultery, or finds her drunk, he may, with the consent of her relations, punish her even with death.

III. LAW. When a man will put away his wife, the form of doing it

shall be by taking from her the keys of the house, and giving her what she brought. This shall be the manner of a divorce.

IV. LAW. A child born of a widow, in the tenth month after the decease of her husband, shall be deemed legitimate.

V. LAW. It shall not be lawful for the patricians to intermarry with the plebeians.

con-

CHAP. confiscation whereof always followed his punishment.
 xxxvii. The young nobility, debauched by this reward, did
 not only connive at the oppression of the people; but
 openly wished rather to live in this licentious man-
 ner, than in a state of public liberty.

CHAP. THE ides of May came, and no new magistrates
 xxxviii. being chosen, those who were in reality but private per-
 sons appeared as decemvirs, without any intention to
 abate the least of their authority, or even drop the en-
 signs or marks of power. This seemed manifestly an
 usurpation of regal tyranny. Every body constantly
 deplored the loss of liberty; but none for the present
 asserted it's cause, nor was there any prospect of future
 relief. The Roman people had not only lost their for-
 mer courage, but began even to be despised by the neigh-
 bouring nations, who disdained to be subject to a state,
 which had lost it's own liberty. The Sabines made an
 incursion upon the Roman territories with a great army,
 and having laid them waste far and near, carried off
 a great booty both of men and cattle with impunity;
 and returning with their army, which had been dis-
 persed over the whole country, encamped at Ere-
 tum, in confidence that the divisions at Rome would
 obstruct the levying of forces there. Not only the
 messengers, which brought these accounts, but the
 peasants, who fled from the neighbourhood, filled
 the city with terror. The decemvirs deliberated upon
 proper measures to be taken; and while they were
 between the hatred of the patricians and plebeians de-
 stitute of all relief, fortune superadded another cause of
 fear beside the former. For the Æqui, on the other
 side, formed a camp at Algidum. Embassadors from
 Tusculum brought word to Rome, that they from
 thence made incursions upon and pillaged the domi-
 nions of that state, and implored aid against them. This
 struck such fear into the decemvirs, that, seeing the city
 threatned with war from two different quarters at the
 same time, they had recourse to the senate. They com-
 manded the senators to be cited to assemble in the senate
 house,

house, not ignorant of the storm of ill-will, which CHAP.
 hung over their heads. “ The whole blame of the XXXVIII.
 “ country’s being laid waste, and the other dan-
 “ gers that threatned them, would be thrown on
 “ them. An attempt would then be made to put an
 “ end to their magistracy, if they did not by a firm
 “ union among themselves oppose it, and by a severe
 “ exercise of their authority upon a few of the most
 “ resolute, crush the enterprizes of the rest.” The
 herald was no sooner heard in the forum, summon-
 ing the fathers to meet the decemvirs in the senate
 house, but the novelty of the thing, so long had they
 discontinued the custom of consulting the senate,
 astonished the people. “ What can have happened,”
 cried they in surprize, “ to occasion their revival of
 “ an obsolete custom after so long disuse! We may
 “ thank our enemies and the present war, that any
 “ spark of the ancient freedom of our state appears.”
 They looked round the whole forum for a senator, but
 scarce saw one there. From it they went to the senate
 house, and found it quite empty round the decem-
 virs, who attributed the fathers not assembling to a
 wilful contempt of their authority, while the people
 imagined they had refused, because private persons
 had no right to convene the senate. “ This begin-
 “ ning, thought they, promised fair for the recovery
 “ of their liberty, if they would only keep pace
 “ with the senators, and refuse to enrol themselves,
 “ as the fathers had not assembled when summoned.”
 These things were whispered by the plebeians. There
 was scarcely a senator in the forum, and but few in
 the city. For through abhorrence of the present ty-
 ranny, they had retired to the country ; and laying
 aside all concern for the public, minded their own
 private affairs ; thinking the greater distance they
 were at from the assemblies and meetings of those
 outrageous tyrants, the farther they were removed
 from harm. When they did not appear on the sum-
 mons officers were sent about to their houses to
 distrain their goods, and to enquire whether they
 had

CHAP. had absented themselves with design. These officers
 XXXVIII. reported, that the senators were in the country,
 which gave greater joy to the decemvirs, than if they
 had said, they were in town, but disowned their au-
 thority. Commanding them, therefore, to be sent
 for, they adjourned the meeting to next day, which
 was then more numerous than had been expected.
 From this the people imagined that the senators had
 betrayed their liberty; because they had obey'd those,
 who ought before that time to have abdicated their
 magistracy, and who were it not for their violent
 measures would be but private persons, as if they had
 had a legal authority to compel them.

CHAP. BUT we have heard, that they were more obe-
 XXXIX. dient in coming to the senate house, than favorable
 to the decemvirs in giving their opinion there. For
 it is said, that, after Appius had opened the cause
 of their meeting, L. Valerius Potitus, before the
 opinions were asked in order, demanded to say some-
 thing on the state of the republic; and when the
 decemvirs with threats commanded him silence, he
 swore he would go out to the people and raise a se-
 dition. Horatius Barbatus seconded him with no less
 warmth, “ calling the decemvirs ten Tarquins; and
 “ putting them in mind that the kings had been ex-
 “ pelled by the Valerii and Horatii. It was not the
 “ title of king that they were at that time weary of.
 “ For it was lawful to use that title which was given
 “ to Jupiter; which Romulus, the founder of their
 “ city, had enjoyed, and those kings who succeeded
 “ him, and was still retained in the rites of religion
 “ and yearly festivals: it was the pride and violence
 “ of a king that was so hateful; and if these were
 “ intolerable in a real king or in the son of a king,
 “ were they to be endured in so many private per-
 “ sons? He bade them look to it, lest, by deny-
 “ ing men liberty of speech within the senate house,
 “ they should speak their minds without doors;
 “ neither did he see, that he himself, a private man,
 “ had

“ had less authority to call an assembly of the peo-
 “ ple, than they had to convene the senate. They
 “ might try, when they would, how much more keen
 “ the resentment of the people in asserting their liberty
 “ would be, than their strong ambition to maintain
 “ themselves in their illegal authority. They had
 “ mentioned the Sabine war, as if the Roman peo-
 “ ple had any more declared enemy than the decem-
 “ virs themselves, who having been created to esta-
 “ blish laws, had not left a spark of equity in the
 “ state : they who had suppressed the comitia,
 “ abolished the annual magistracies, and taken away
 “ the custom of governing by turns, the only me-
 “ thod consistent with liberty ; who, being only pri-
 “ vate persons, had the fasces and absolute domina-
 “ tion. That upon the expulsion of the kings, the
 “ magistrates were all patricians, but afterwards, on
 “ the secession of the people, were plebeians likewise.”
 Then he asked, “ which of these interests they were
 “ in. Can those men be in the interest of the people ?
 “ for what have they ever done with their consent ?
 “ Or in that of the nobility ? who have not almost
 “ for a whole year convened the senate, and now
 “ they had assembled it, debarred them the liberty
 “ of speaking to the state of the republic. They
 “ ought not to trust too much to the want of resolu-
 “ tion in others ; for the people were now con-
 “ vinced, that their present oppression was more in-
 “ tolerable, than any thing they had to fear for the
 “ future.”

HORATIUS having spoke this with great CHAP.
 warmth, while the decemvirs could neither find a XL.
 vent to their resentment, nor put up with what was
 said, and could form no judgment how this affair
 would terminate ; C. Claudius, uncle to Appius the
 decemvir, made a speech rather full of entreaties
 than reproaches, conjuring his nephew by the manes
 of his brother and father, “ to have more regard
 “ to

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XL.



“ to that whole community, in which he was born,
 “ than to that unlawful combination which he had
 “ entered into with his colleagues. He made this
 “ request more for his own, than the sake of the re-
 “ public; for if they would not willingly restore it its
 “ rights, it would wrest them back from them against
 “ their will. But as great struggles most commonly
 “ raise a great deal of ill-will, he shuddered to think
 “ on the event of them.” Though the decemvirs
 had forbid speaking on any other than the subject of
 their meeting, yet they were ashamed to interrupt
 Claudius. He therefore proceeded to give his opi-
 nion, “ that the senate should pass no decree.” This
 all men understood, to be a declaration of the decem-
 virs being private persons, and to this many who had
 been consuls assented in their speeches. The other
 opinion was in appearance more harsh, but affected
 the decemvirs less, “ that the patricians ought to meet
 “ and chuse an interrex.” For by this vote, those
 were acknowledged as magistrates who held the se-
 nate, but those who declared for passing no decree,
 made them private persons. The interest of the
 decemvirs thus sinking, L. Cornelius Maluginensis,
 brother to M. Cornelius the decemvir, having been
 designedly reserved to speak last of all the men of con-
 sular dignity, screened his brother and his colleagues,
 by pretending a great concern for the war. “ He
 “ wondered, he said, by what fatality those who had
 “ either been candidates for the decemvirate, or
 “ partners in it, should above all others be so keen
 “ in their opposition to the decemvirs? And how
 “ it had happened, that during so many months
 “ that the state had enjoy’d quiet, none had ever
 “ disputed the justice of their title, who have held
 “ the supreme magistracy; but at length, when the
 “ enemy is near our gates, sow civil discord; unless
 “ it be, that they think their designs could not be
 “ so clearly discerned, in these troublesome times?
 “ But it was meet, that none, while they were dis-
 “ tracted

“tracted with greater concerns, should bring in any
 “thing new to divert them from an affair of such
 “consequence. As to the charge which Valerius
 “and Horatius had brought against the decemvirs,
 “that their authority had expired at the ides of
 “May; he was of opinion, that the senate ought
 “to take that affair under consideration, as soon
 “as the wars, which were then impending, should be
 “ended, and tranquillity restored to the state: and
 “Appius should from that time prepare himself for
 “his defence, knowing he must render an account
 “of those comitia, which in his first decemvirate he
 “had held for the election of new decemvirs, that the
 “senate might judge whether they had been appointed
 “only to continue for one year, or till such laws as
 “were wanting should be completed. But at present
 “he was for postponing the consideration of every other
 “thing except the war. If they thought the alarm of
 “it false, and that not only the messengers, but the
 “Tusculan deputies had brought them groundless ac-
 “counts, they ought to send out scouts, to enquire and
 “bring them more certain intelligence. But if they
 “gave credit to what the messengers and deputies had
 “reported, they ought with the greatest expedition to
 “levy troops, and the decemvirs to lead them to
 “what place they thought proper. This ought to be
 “done previously to every thing else.”

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WITH great struggling the young patricians car-
 ried it in favor of this opinion. Upon which Valerius
 and Horatius rising a second time with greater keenness
 than at first, demanded aloud “liberty to speak to the
 “state of the republic; declaring that if by the power
 “of faction their mouths should be stopped in the se-
 “nate, they would go out and speak to the people.
 “The decemvirs, who were but private persons, could
 “not hinder them to speak either in the senate or in a
 “public assembly; nor would they yield to their sham
 “fasces and usurped authority.” Upon that Appius,
 seeing matters reduced to such extremity, that if he did
 not oppose their violence with equal courage, the de-
 VOL. I. U cemviral

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“ say any thing, but what relates to the affair about which we ask your advice ;” and upon Valerius’s refusing “ to be silent at the command of a private person,” ordered a lictor to lay hold on him. While Valerius, from the porch of the senate house, “ called out to the Romans for help,” Cornelius took Appius in his arms, and put an end to the dispute, though it was not out of regard for him, for whose sake he pretended he had done it. Valerius, by Cornelius’s interposing, obtained liberty to say what he would, but as this liberty extended only to words, the decemvirs gained their point. The men of consular dignity and aged senators likewise, from a remaining grudge to tribunician power, which they thought the people were much fonder of than of consular, chose rather that the decemvirs themselves should afterwards voluntarily abdicate their magistracy, than that the people, through their aversion to decemvirs, should get head again. For should the government peaceably, and without any popular commotion, return into the hands of consuls, it was possible, that, either by the intervention of wars, or a mild exercise of the consular government, the people might be brought to forget their tribunes. Thus an edict was issued for raising an army without any obstruction on the part of the senators, and the youth, as there was no appeal from the decemviral authority, answered to their names when called. When the legions were completed the decemvirs agreed among themselves, who should go out to the war, and who should command the armies. The two leading men among the decemvirs were Q. Fabius, and Appius Claudius. There appearing more danger from the commotions at home than the war abroad, they thought Appius, by reason of his imperious temper, fittest to quell the disturbances in the city. Fabius was not so steady in a good, as active in a bad cause. For his colleagues in the decemvirate had so changed this man, who had formerly behaved very well both in peace and war, that he chose

rather to resemble Appius than act like himself. He was commissioned to march against the Sabines, and had Man. Rabuleius, and Q. Petilius given him as colleagues. M. Cornelius was sent to Algidum, with L. Minutius, T. Antonius, Cæso Duilius and M. Sergius. They appointed Sp. Oppius to assist Appius in defending the city, and invested them equally with the whole decemviral authority.


CHAP.


LXI.

THE war was as ill managed abroad, as the state was at home. The only thing wherein the generals were to blame, was in having rendered themselves odious to the citizens: otherwise the soldiers were wholly in fault; for, that nothing might succeed under the command and conduct of the decemvirs, they suffered themselves to be beat, to their own and their commanders disgrace. Their armies were routed by the Sabines at Eretum, and by the Æqui at Algidum. That at Eretum fled thence in the dead of the night, and entrenched themselves on a rising ground between Fidenæ and Crustumeria. The enemy followed them thither, but the Romans would never venture a battle on fair ground; and defended themselves by the strong situation of the place and their ramparts, not by valor and arms. Those at Algidum behaved still worse, and received a more terrible overthrow: for having lost their camp, and being stript of all their warlike implements, they retired to Tusculum, trusting, for subsistence and protection, to the fidelity and compassion of their allies, who did not disappoint their hopes. Such terrifying accounts were brought to Rome, that the senators, laying aside their hatred to the decemvirs, passed a vote, “that guards should patrol in the city; and that all who were of an age fit to bear arms should be posted to guard the walls and gates.” They likewise decreed “a reinforcement of men and supply of arms for the troops at Tusculum, and that the decemvirs should draw their forces out of the citadel of that place,

CHAP.

XLII.

CHAP. XLII.  “ and encamp them in the open field : and march
 “ the troops that lay at Fidenæ into the Sabine
 “ territories, that by carrying the war into the ene-
 “ my’s country they might be diverted from their
 “ design of attacking Rome.”

CHAP. XLIII.  TO what the people had thus suffered from the
 enemy, the decemvirs superadded two most enor-
 mous actions, the one in the camp, and the other
 in the city. In that army which opposed the Sabines,
 L. Siccus, from the ill-will he bore to the decem-
 virs, having, in secret whispers, mentioned to the com-
 mon soldiers the creation of tribunes and making a
 secession, was sent before by the generals to look out
 a proper place to encamp in. The soldiers, whom
 they sent to accompany him in this expedition, were
 ordered to fall upon and kill him in a convenient
 place. He did not fall unrevenged ; for being a stout
 man he made a brave resistance, and though sur-
 rounded by the assassins, defended himself with a
 courage equal to his strength, so that several of the
 villains were found dead about him. Those who
 survived reported in the camp that Siccus had
 fallen unawares into an ambuscade, wherein he and
 some of his company had been killed. They were
 at first believed : but afterwards when a cohort, with
 the decemvir’s permission, was detached to bury the
 slain, and found none of the bodies stript, but saw
 Siccus lying in the middle in his armor, all the
 dead lying with their faces towards him, none of the
 enemy among them, nor any trace of their going off,
 they brought back his corpse, and affirmed, that he
 had certainly been killed by his own men. The whole
 camp was filled with rage, and agreed that Siccus
 should be immediately carried to Rome, had not the
 decemvirs hastened to bury him with military honors,
 at the public charge. The soldiers expressed great
 grief at his funeral, and openly threw out the bit-
 terest reproaches against the decemvirs.

I shall now relate the other act of villainy, perpetrated in the city, occasioned by lust, and as foul in the event, as the rape and murder of Lucretia, which drove the Tarquins from the city and kingdom; that the end of the decemvirs might not only exactly resemble that of the kings, but that they might lose their authority by a like cause. Appius Claudius was seized with a violent passion for ravishing a plebeian virgin. Her father, L. Virginus, held an honorable rank in the army at Algidum, and bore a fair character both as a citizen of probity, and a valiant soldier. His wife had been a woman of strict virtue, and their children were virtuously educated. He had betrothed this daughter to L. Icilius, who had formerly been tribune, a man of spirit, and one who had given proofs of his courage in asserting the rights of the people. Appius becoming passionately enamored of this virgin, who was in the bloom of life, and very beautiful, attempted to debauch her by presents and fair promises. But perceiving that her modesty was too strong a bulwark against these arts, he resolved to have recourse to cruel and insolent force. Thinking the absence of her father a fit opportunity, for executing this wicked project, he made M. Claudius, a client of his own, claim the maiden as his slave, with strict orders not to yield her to those who should demand that she might remain under surety in possession of her freedom, till the cause was decided. This minister of the decemvir's lust, seized her as she was coming into the forum, where the schools were kept in a sort of booths, and calling her slave, affirmed she was the daughter of one of his bondwomen, and commanded her to follow him, threatening if she refused to drag her by force. The damsel was terrified and amazed, and on the outcries of her nurse, imploring help of the Romans, a multitude of people flocked round them. The names of her father Virginus and betrothed husband Icilius, both

CHAP.

XLIV.



popular men, were heard on all sides. Regard to them brought their acquaintance to the place, and the shamefulness of the action engaged the mob to espouse the young woman's quarrel. As this protected her from violence, Claudius, who claimed her, called out, "That there was no occasion for raising
 " a mob; for he had no design to employ force,
 " but to proceed against her in a legal manner." Upon which he summoned her to appear in court, and those present persuaded her to follow him. They came before Appius's tribunal, where the plaintiff proceeded to tell the judge a story well known to him, having himself beforehand instructed him in the plan of the prosecution. Claudius said, "That
 " the young woman had been born in his house,
 " stolen from thence and carried to Virginius's, where
 " she passed for the latter's daughter. This he affirmed he would make appear by witnesses, and
 " prove even before Virginius, as judge, who was the
 " greatest sufferer by the injury. In the mean time
 " it was just, that the maid should follow her
 " master." The counsel for the young woman pleaded, "that seeing Virginius was abroad in the service
 " of his country, and might, if he had information,
 " be present within two days, it was unjust, in his
 " absence, to raise any dispute, about his children;" and demanded, "that Appius might not hear the
 " cause, till the arrival of Virginius. But, according to the law made by himself, he should allow her to continue in possession of her freedom
 " till a definitive sentence, and not suffer a virgin,
 " arrived at maturity, to run the risk of losing her
 " honor, before she lost her liberty."


CHAP.


XLV.



APPIUS before he passed sentence said, "The
 " very law, which the friends of Virginia had urged
 " in support of their suit, was a proof of his regard
 " to liberty. But it could only be a protection to
 " liberty, if it was never applied to persons or causes
 " for which it was not originally intended. For

“ as to those who were slaves and claimed as free,
 “ the plea was good, because any man might seek
 “ redress by law. But as Virginia was in the hands
 “ of her father, there was no other person to whom
 “ her master was obliged to quit his possession.
 “ Therefore he decreed that her father should be
 “ sent for, and that the right of the claimant might
 “ not in the mean time be infringed, he should take
 “ the girl to his house, under promise to present her
 “ in court, when her reputed father should ap-
 “ pear.” As many silently grumbled at this unjust
 sentence, though none had the courage openly to
 declare against it, Numitorius, her uncle, and Ici-
 lius, to whom she had been betrothed, came into
 court. The crowd made way for them, imagining, espe-
 cially after the coming of Icilius, they could stop the
 execution of Appius’s decree, but a lictor proclaimed,
 “ that sentence was passed,” and pushed back Icilius,
 who loudly complained of the injustice done him. As
 such injurious treatment would have provoked the
 mildest temper, he said “ You must remove me, O
 “ Appius, by the sword, that you may quietly perpe-
 “ trate the villainy you strive to conceal. I am to marry
 “ this virgin, but to marry her chaste. Therefore call
 “ forth with all your lictors, nay those belonging to your
 “ colleagues; command them to get ready their rods
 “ and axes; for Icilius’s bride shall not stay out of her
 “ father’s house. No! Because you have deprived us
 “ of the protection of our tribunes, and the right of
 “ appeal to the Roman people, the two bulwarks
 “ which defended our liberty; shall therefore our
 “ wives and children fall victims to your lust? Scourge
 “ and behead us, but at least let chastity be protected.
 “ If any violence shall be offered to this virgin, I, in
 “ behalf of my bride, will implore the help of the
 “ Romans assembled here; Virginus will call for
 “ aid from his fellow soldiers in behalf of his only
 “ daughter; we will beg aid of every body, and
 “ implore both Gods and men. You shall never
 “ put this sentence in execution till you have first

CHAP. XLV.  slain me. I earnestly beseech you, Appius, to consider coolly the consequence of your proceedings. Virginius, when he comes will see, what is properest to be done with regard to his daughter. Let him only be assured of this, if he yield to this villain's claim, he must find her another husband. As for me, who insist that my bride may continue in possession of her liberty, I will sooner lose my life, than forego the faith I have pledged her."

CHAP. XLVI.  THE multitude were much incensed, and a battle seemed likely to ensue. The lictors surrounded Icilius, but proceeded no farther than to threaten him. Then Appius said, " That what Icilius did was not for the sake of defending Virginia ; but being a turbulent man, and even then breathing the spirit of a tribune, sought an occasion to raise a sedition : but he would disappoint him for that day ; and he might be assured, that not on account of his sauciness, but of Virginius's absence ; and from a tender regard to the name of father, and to liberty, he would defer judgment and not interpose his decree that day. He would beg M. Claudius not to insist upon his right, but let the young woman continue in possession of her liberty till next day. But if the father should not then appear, he now gave warning to Icilius and men of like complexion, that a decemvir would not be wanting in resolution, and a lawgiver would put his laws in execution : he would not call together his colleague's lictors to awe the authors of sedition, but would be content with his own." The time for perpetrating this villainy being thus delayed, and the young woman's advocates retired, the first resolution they took, was that Icilius's brother and Numitorius's son, two active young men, should go that instant to the gates, and make all possible haste to bring Virginius from the camp ; for the young woman's safety depended upon

upon his being present exactly at the appointed time, to defend her against her ravisher. They went as ordered, and having posted all the way, brought her father the sad news. In the mean time he who claimed the young woman pressed Icilius to give security, that he would present her in court. Icilius answered, that he was about it, designedly spinning out the time, till the messengers sent to the camp should be well advanced on their journey, and the whole crowd held up their hands, to shew that every one there was ready to become surety for Icilius. He with tears thanked them, saying, "To-morrow I shall use your help; but for the present I have sureties enough." Thus Virginia, upon her relations giving surety to present her, was set at liberty. Appius, to avoid suspicion that he sat in judgment solely on account of that particular cause, staid some time in his tribunal; but seeing, through concern for one girl, none applied to him, he returned to his house, and wrote to his colleagues in the camp, "not to give Virginius a furlough, nay to put him under arrest." This wicked advice, as it deserved, came too late. For Virginius, having obtained a furlough, had set out by the first watch in the night, whereas the letters for detaining him were not delivered till next day in the morning.

CHAP.
XLVI.

HE was in Rome by day break, where the whole people were convened in the forum, eagerly expecting his coming. Virginius, clad in mourning, led his daughter in a thread-bare gown into the forum, attended by several matrons, and a great company of friends. He went round and solicited every man's favor, and not only implored their assistance, but even demanded it as a debt. He said, "He was daily ready in the field to fight for their children and wives; nor was there any man of whom could be recounted a greater number of brave and gallant exploits in war, than of himself. But what did it signify, if while the city was preserved, their

CHAP.
XLVII.

CHAP. “ their children must suffer the same violences which
 XLVII. “ are to be dreaded when a town is taken by assault ?”



He went round the assembly haranguing them in this manner. Icilius every where made use of the like arguments. But the silent tears of the women, who accompanied them, had more influence than any words that were uttered. In spite of all which, Appius with an inflexible heart (his soul being rather distracted with an extravagant madness, than an amorous passion) ascended his tribunal. And while the plaintiff complained, “ that sentence had not passed in
 “ his favor the day before out of complaisance to the
 “ people,” before he could proceed to make his demand, or Virginus have an opportunity to answer, Appius interrupted him. As to the preamble with which he ushered in his decree, perhaps ancient authors have given the true one ; but because I cannot find one that is probable considering the shameful nature of the sentence, I think it best to set down only what is certain, the bare decree itself, “ He adjudged her to be a slave.” This injurious sentence, at first surpris'd and confounded all the bystanders. For some time all were silent. But when M. Claudius went to lay hold on the virgin who was surrounded by the matrons, and they received him with doleful wailings, Virginus, shaking his hands in a threatening manner at Appius, said, “ De-
 “ cemvir, it was to Icilius and not to thee I be-
 “ trothed my daughter ; and educated her for law-
 “ ful wedlock, not for prostitution. Do you de-
 “ light, like the brutes and wild beasts, thus to gra-
 “ tify your brutal passion in common ? Whether
 “ those who are here present will endure these things,
 “ I know not ; but I hope those who are in arms
 “ will not bear with them.” When the claimant was repulsed by the circle of women and friends, who surrounded her, an herald proclaimed silence.

CHAP.
 XLVIII.



THE decemvir, with his mind wholly bent upon gratifying his lust, said, “ that he not only guessed
 “ from the invectives which Icilius had thrown out
 “ against



“ against him the day before, and the insolence of
“ Virginus, whereof the Roman people had been
“ witnesses, but had got certain information, that ca-
“ bals had been formed in the city all night long in
“ order to raise a sedition. That therefore, well ap-
“ prized of the intended riot, he had brought soldiers
“ along with him : not that he would hurt any quiet
“ person, but that, by virtue of his office, he might
“ awe those who disturbed the tranquillity of the state.
“ Therefore they had better make no farther distur-
“ bance. Go, lictor, says he, put aside the crowd,
“ and make way for the master to lay hold of his
“ slave.” Having all in a rage made this magiste-
rial speech the crowd of their own accord withdrew,
and left the virgin standing alone a prey to her ra-
visher. Upon this Virginus, seeing no body gave any
assistance, said, “ I beseech you, in the first place,
“ Appius, to impute it to a father’s grief, if I have
“ unguardedly thrown out any bitter invectives a-
“ gainst you : in the next place, to give me leave
“ to interrogate the nurse in presence of the virgin,
“ concerning this matter ; that if I am falsely called
“ her father, I may go hence better satisfied in my
“ mind.” Leave being granted him, he led his
daughter and her nurse aside to the booths near the
temple of Venus Cloacina, which are now called the
new booths ; and there snatching a knife from a
butcher, said, “ O daughter, by this only method
“ in my power, I set thee free.” With that he stab’d
her through the heart ; and turning to the tribunal,
called out, “ By this blood, Appius, I devote thee
“ and thy head to the infernal Gods.” The decem-
vir, alarmed by the clamor raised on this horrible
deed, commanded Virginus to be seized : but he,
wherever he came, opened himself a way with the
knife ; till, guarded by the crowd which followed,
he reached the gates. Icilius and Numitorius took
up the dead body, and exposed it to the view of the
people, cursing the wickedness of Appius, and
lamenting the fatal beauty of the young woman, and
the cruel necessity her father was under of killing her.
The

CHAP.
XLVIII.

The matrons, following after, cried out, “ was it
“ for this that children were begot? was this the
“ reward of chastity?” And as the tenderness of
women’s hearts makes them more sensibly affected
with grief, they said every thing which the ex-
cess of passion suggests to their minds on such
doleful occasions. The men, but especially Icilius,
exclaimed against the abolishing of the tribunician
power, taking away the appeal to the people, and
the villainies publicly committed.

CHAP.
XLIX.

THE people rose in an uproar, partly on account
of this horrid crime, and partly in hopes that it would
furnish them with an opportunity of regaining their
liberty. Sometimes Appius commanded Icilius to be
cited, sometimes to be carried to prison for refusing
to obey the summons. At last, seeing there was no
way for the apparitors to come at him, he himself,
with a band of young patricians, went through the
crowd, and commanded him to be carried to jail. By
this time Icilius was surrounded not only by the people,
but by their leaders, L. Valerius and M. Horatius, who
thrusting away the lictor said, “ If he had a legal action
“ against Icilius, they would become surety to defend
“ him against the decemvir who was but a private per-
“ son ; but if he dared to use force, he should like-
“ wise find them superior to him in that.” Upon
this a terrible tumult began. The decemvir’s lictor
fell upon Valerius and Horatius, and the mob broke
his fasces. Then Appius went up to the rostra to
harangue the people ; Valerius and Horatius follow-
ed. The assembly heard their speech with attention,
but drowned the decemvir’s with their noise. Va-
lerius took upon him to command the lictors to leave
Appius, who was only a private person. In the
mean time Appius, losing all courage, and appre-
hensive for his own life, covering his head, stole,
without the knowledge of his enemies, out of the
forum, and hid himself in an adjoining house. Sp.
Oppius, from the opposite side, rushed into the fo-
rum

rum to succour his colleague, and saw his authority CHAP.
 born down by force. After much deliberation, and XLIX.
 many on all hands advising him to comply, he, in
 great consternation, at last commanded the senate
 to be assembled. This appeased the multitude,
 seeing, as many of the patricians seemed displeased
 with the proceedings of the decemvirs, there was
 hope that the senate would put an end to their au-
 thority. The senators were of opinion, that the peo-
 ple ought not to be exasperated ; and that care should
 be taken, that Virginius's arrival in the camp did
 not raise commotions there.

SOME young patricians were, therefore, sent to CHAP.
 the camp, which was then upon the hill Vecilius, to L.
 desire the decemvirs, “ by all means to prevent the
 “ soldiers mutinying.” But Virginius raised a greater
 commotion there, than he had left in the city. For
 besides that his being attended with a troop of four
 hundred men, who, enraged at the shocking deed, had
 accompanied him on his journey, made him remarka-
 ble ; his carrying the naked knife in his hand, and
 being himself all bespattered with blood, drew the
 eyes of the whole camp upon him. The gowns, which
 were seen in many different places of the camp,
 made the number of citizens appear greater than
 really it was. When they asked him what the mat-
 ter was, he remained long in tears without uttering a
 word : at length, when great numbers in consterna-
 tion crowded round him, and there was a profound
 silence, he recounted in order every thing that had
 happened. Then lifting his hands to heaven, he
 besought his fellow soldiers, “ Not to impute to
 “ him, what was solely Appius's crime, nor to look
 “ upon him as a parricide and the murderer of his
 “ child. The life of his daughter had been dearer
 “ to him than his own, if she could have enjoy'd it
 “ free and chaste ; but when he saw her ready to
 “ be dragged, as a slave, to be debauched, he thought
 “ it better that his child should be deprived of life,
 “ than

CHAP.

L.



“ than of her honor. Tendernefs for her made
 “ him feem cruel. Nor would he have furvived
 “ his daughter, had not he entertained hopes, that
 “ his fellow foldiers would affift him in revenging
 “ her death. They alfo had daughters, fifters, and
 “ wives; nor had Appius’s brutal luft expired with
 “ his daughter, and the longer he efaped punifh-
 “ ment, he would be the more unbridled in his de-
 “ baucheries. His misfortune ought to be a warn-
 “ ing to, and keep them on their guard, left the like
 “ injury fhould be done to themfelves. As to his own
 “ concern in the matter, he had loft his wife by a
 “ natural death, and his daughter, becaufe ſhe could
 “ no longer live chaſte, had made a lamentable but
 “ honorable exit. There now remained nobody in
 “ his family on whom Appius could fatiate his luft:
 “ from his other violences he would free his own
 “ body, with the ſame courage as he had delivered
 “ his daughter’s. The reſt might look to themfelves
 “ and to their children.” Having pronounced this
 ſpeech audibly, the army with one voice affured him,
 that they would both avenge the cauſe of his grief,
 and defend their own liberty. The citizens likewise,
 mixing in the crowd of foldiers, made the ſame com-
 plaints, repreſenting how much more ſhocking theſe
 things could be when ſeen acted, than they could poſſi-
 bly appear in the relation. At the ſame time they told
 them, that the intereſt of the decemvirs was already
 utterly ruined at Rome, and thoſe who had come ſince
 their arrival brought accounts, that Appius, after hav-
 ing been almoſt killed, had fled into banifhment.
 Theſe things prevailed with the foldiers to give the a-
 larm, they pluckt up their eagles, and marched to Rome.
 The decemvirs, much perplexed at what they had ſeen,
 and what they heard had been tranſacted at Rome, ran
 through all the camp, to appeaſe the mutiny: while
 they uſed gentle means, no one regarded them; but
 when any of them offered to exerciſe their authority,
 he was told, “ That they were men, nay foldiers in
 “ arms.” Thus they marched in battalia to Rome,
 and



and encamped on mount Aventine, exhorting every one of the people they met, to attempt the recovery of their liberty, and to elect tribunes of the people. Not a violent word else was heard. Sp. Oppius assembled the senate, and they determined to act with moderation, seeing they themselves had given occasion to the sedition. Three deputies of consular rank, Sp. Tarpeius, C. Julius and P. Sulpicius were sent to demand in name of the senate, “By whose command they had left their camp? or what they intended by encamping in an hostile manner upon mount Aventine, and by turning their arms from their enemies, employ them against their native country?” The answer was easy; but they wanted a person to give it; for they had no certain leader, and no private man dared to take that hateful office on himself. The whole crowd therefore immediately cried out with one voice. “Let L. Valerius and M. Horatius be sent to us: we will give our answer to them.”



WHEN the deputies were dismissed, Virginius represented to the soldiers, “The confusion they had been in, in an affair of the greatest consequence, for want of a head. Though their answer was to the purpose, yet it was by chance, and not the result of public deliberation. It would therefore be proper to create ten men, distinguished with the martial title of military tribunes, whom they should invest with the chief command.” When this honorable office was first offered to himself, he said, “Reserve these your kind intentions to me, against more favourable times for us both. My daughter’s death yet unrevengeed will not suffer me to enjoy any honor with pleasure; and while the republic’s affairs are so embarrassed it is improper that you should be commanded by one most obnoxious to envy. My being a private person will not preclude me from doing you all the service in my power.” Thus they chose ten military tribunes. Nor was the army in

CHAP.

LI.



in the country of the Sabines quiet; it, likewise, at the instigation of Icilius and Numitorius, deserted the decemvirs. For the murder of Siccus coming fresh into their remembrance, provoked them no less than the late account of the base attempt to ravish Virginia. As soon as Icilius heard, that military tribunes were created on the Aventine hill, fearing lest the comitia in the city would follow the precedent of the comitia in the camp, and elect the same men tribunes; besides being a man well skilled in popular affairs, and aspiring to that power himself, took care that the army he was in, before they marched to the city, should create an equal number of military tribunes with the same authority. They entered Rome, with colors flying, by the gate Collina, and marched through the middle of the city to the Aventine hill. There they joined the other army, and the twenty military tribunes were empowered to chuse two of their number, who should have the supreme authority. They chose M. Oppius and Sex. Manilius. The senators, anxious for the public welfare, met every day. Yet spent their time more in wrangling, than in forming any advantageous resolution. The decemvirs were upbraided with the murder of Siccus, the dissolute life of Appius, and the ignominy they had suffered in the war. At last they resolved, to send Valerius and Horatius to mount Aventine. But these two patricians refused to go, till the decemvirs should divest themselves of the ensigns of their magistracy, which had actually expired a year before. The decemvirs complained of being reduced to the condition of private persons, protesting they would not abdicate their authority, till the laws, for enacting which they had been created, had the last hand put to them.

CHAP.


LII.




THE army, informed by M. Duilius, who had formerly been tribune, that no progress was made in the business by reason of these daily disputes, marched from the Aventine over to the sacred mountain; the same
Duilius

Duilius affirming, that the patricians would never give themselves any concern about what passed, till they saw the people leaving the city. “The sacred mountain, said he, would put them in mind of the constancy of the people. They would then be made sensible of the impossibility of bringing about a reconciliation, till the tribunician power was restored to them.” Marching, therefore, by the Nomantine way, then called Ficulnensis, they encamped on the sacred mountain, imitating the moderation of their forefathers by offering no sort of violence. The people accompanied the army, none staying behind, whose age would permit them to go. Their wives and children followed, asking in a mournful tone, “For what purpose should they be left behind in a city, where neither honor nor liberty could be safe?” Rome was thus in a manner become a vast desert, and there was nobody to be seen in the forum, excepting a few old men. When the fathers, convened in senate, saw the forum empty, others besides Valerius and Horatius warmly remonstrated to this effect, “What wait you for, conscript fathers? If the decemvirs persist in their obstinacy, will you suffer every thing to go to wreck and ruin? What is that sovereignty, decemvirs, which you so tenaciously maintain? Are you to administer justice to empty houses and bare walls? Are you not ashamed, that the number of your lictors in the forum are nearly equal to that of other citizens in their gowns? What would you do, if our enemies should come and attack the city? What? if our own people at this instant, when we little regard their secession, should advance against us sword in hand? Is it your intention to end your magistracy with the total destruction of the city? The truth is, we must either have no people, or we must have tribunes of the people. We will sooner want our patrician magistrates, than they their plebeian. When this power was new, and before they had experienced the benefit of it, they extorted it from

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CHAP. LII.  “our fathers, and will not now part with it, when they have tasted it’s sweets ; especially seeing we are not so moderate in the exercise of our power, but that they stand in need of relief.” These reasons being strongly urged on all sides, the decemvirs, yielding to the general opinion, declared, “they would, since it was the pleasure of that venerable body, entirely submit themselves to the senators ;” but begged them, “to protect them from public resentment, and not to give the commons a precedent of punishing patricians, by suffering them to shed their blood.”

CHAP. LIII.  UPON this Valerius and Horatius were sent to make up matters, and bring back the people on what terms they thought best ; and were likewise commanded to take all proper measures for protecting the decemvirs, against the resentment and fury of the populace. They went and were received into the camp with great demonstrations of joy by the people ; being undoubtedly their deliverers both in the beginning and progress of the commotion. For all which they had thanks returned them on their arrival. Icilius was spokesman for the people. When they came to treat about the terms, and the deputies enquired what the people’s demands were, the same Icilius, every thing having been concerted and settled in counsel before their coming, made such demands, as plainly shewed, the people trusted more to the reasonableness of their terms, than to force of arms. For they only demanded, “the re-establishment of the tribunician power, and of the right of appeal, which, before the creation of decemvirs, had been the protection of the people ; and that every man should be indemnified, for having stirred up the soldiers or people to make a secession, in order to recover their liberty.” Only their demand of punishing the decemvirs favored much of cruelty ; for they insisted, “that they should be delivered up to them,” and they threatned, “to burn them alive.” To these the deputies replied. “The demands you
“ have



“ have made, after mature deliberation, are so rea-
 “ sonable, that we would of our own accord have
 “ offered them. For they tend only to the de-
 “ fence of your liberty, not to authorize licenti-
 “ ousness to the injury of others. As to your re-
 “ sentment against the decemvirs, we must rather
 “ pardon than indulge it. For, from a detesta-
 “ tion of cruelty, you rush headlong into it; and
 “ almost before you are free yourselves, would ty-
 “ rannize over your adversaries. Shall our state
 “ never be at rest from punishments, which either the
 “ patricians inflict upon the Roman people, or they
 “ upon the patricians? You need a shield more than
 “ a sword! He is brought low enough, who lives on
 “ a level with others, in the same state, without hav-
 “ ing it in his power to injure others, or being exposed
 “ to injuries himself. If at any time you mean to make
 “ yourselves dreaded, it must be after you have reco-
 “ vered your magistrates and your laws, when the
 “ power will be in your own hands, and our lives and
 “ fortunes at your disposal. Then will be the proper
 “ time for you to determine every one’s fate. For the
 “ present be satisfied with the recovery of your liberty.”



THE whole people having given the deputies power
 to act as they pleased, they declared they would speedi-
 ly return with the terms fully ratified. When on their
 arrival they laid the demands of the people before
 the senators, the other decemvirs, finding, con-
 trary to expectation, no mention made of punishing
 them, agreed to every thing: only Appius, a man of
 a cruel disposition, and the most odious among them,
 measuring the hatred of others to him, by his own to
 them, said, “ I am not ignorant what fate awaits me.
 “ I see the contest, about us, is only postponed, till
 “ arms are put in the hands of our adversaries. Our
 “ blood must be the victim to their hatred. However,
 “ for my own part, I shall not hesitate, but will in-
 “ stantly abdicate the decemvirate.” Upon this the
 senate passed a decree, “ that the decemvirs should

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“ immediately resign their office; that Q. Furius,
 “ the pontifex maximus, should create tribunes of
 “ the people; and that all should be indemnified
 “ for the secession of the soldiers and people.” These
 decrees being finished, and the senate broke up,
 the decemvirs went up to the rostra, and, to the
 great joy of all men, divested themselves of their
 office. Information of what had passed was sent to
 the people; and all who had continued in the city,
 followed the deputies. Another crowd of overjoy-
 ed persons from the camp met this by the way,
 congratulating each other on the re-establishment of
 liberty and harmony in the state. Then the depu-
 ties in public assembly, “ begged them to return
 “ to their native country, to their household Gods,
 “ to their wives and children; which they prayed
 “ might prove beneficial, fortunate, and auspicious
 “ to themselves and to the republic. But take care,
 “ said they, to carry back with you to the city, that
 “ same moderation, which, in your march hither, re-
 “ strained you from spoiling any one’s lands, even when
 “ your numbers had reduced you to the want of all
 “ kinds of necessaries. Go to mount Aventine, from
 “ whence you came; in that auspicious place, where
 “ first you laid the foundations of your liberty, you
 “ shall create your tribunes. The pontifex maximus
 “ will attend you there to hold the comitia.” All sig-
 nified their approbation with great unanimity and alacri-
 ty. They moved their ensigns and marched for Rome,
 rivalling those they met in their shouts of joy; and
 went peaceably through the city to the Aventine hill
 in arms, where the pontifex maximus holding the
 comitia, they chose for tribunes of the people, first
 of all A. Virginius, then L. Icilius, and P. Numitorius,
 Virginia’s uncle, the chief promoters of the secession:
 next, it is said, were chosen C. Sicinius, son of him
 who had been created first tribune of the people in
 the sacred mount, and M. Duilius, who had signalized
 himself in the tribuneship before the creation of de-
 cemvirs, and had greatly assisted the people in their
 contests

contests with them : last of all M. Titinius, M. Pomponius, C. Apronius, Ap. Julius, and C. Oppius, were elected, more in expectation of future than for past services. In the beginning of this tribunate, Icius brought in a bill to the people, which they passed into a law, “ that none should be molested on account of the secession made from the decemvirs.” Immediately M. Duilius made a motion for creating consuls with a right of appeal from their decisions. All these things were transacted in an assembly of the people in the Flaminian meadows, now called the Flaminian circus.

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THEN were L. Valerius, and M. Horatius, created consuls by the interrex, and immediately entered upon their office. This popular consulate of these magistrates did no injury, yet gave great offence to the patricians ; for whatever precautions were taken to secure the people’s liberty, the senators deemed an abridgment of their own. First of all, it being a question in law, whether the patricians were bound by the acts of the commons, they passed a law in the comitia by centuries, “ that whatever should be enacted by the suffrages of the people assembled in tribes ^a should be binding on all

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LV.

L. Valerius
and M. Horatius
consuls.

Y. of R. 304.
B. J. C. 449.

^a The division of the people into tribes, was an invention of Romulus, after he had admitted the Sabines into Rome ; and though he constituted at that time only three, yet as the state increas’d in power, and the city in number of inhabitants, they rose by degrees to five and thirty. For a long time after this institution, a tribe signified no more than such a space of ground with it’s inhabitants. But at last the matter was quite alter’d, and a tribe was no longer *pars urbis*, but *civitatis*; not a quarter of the city, but a company of citizens living where they pleas’d. This change was chiefly occasion’d by the original difference between the tribes in point of honor. For Romulus having committed all sordid and mechanic arts to the

care of strangers, slaves and libertines, and reserv’d the more honest labour of agriculture to the freemen and citizens, who by this active course of life might be prepar’d for martial service; the *tribus rusticæ* were for this reason esteem’d more honorable than the *urbanæ*: and now all persons being desirous of getting into the more creditable division, and there being several ways of accomplishing their wishes, as by adoption, by the power of the censors, and the like ; that rustic tribe which had most worthy names in it’s roll, had the preference to all others, though of the same general denomination. Hence all of the same great family, bringing themselves by degrees into the same tribe, gave the name of their family to the tribe

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“all the members of the state.” This gave the tribunes a great advantage in bringing in their bills. Further, they not only revived the other consular law concerning the right of appeal, the chief fence of liberty, which had been overthrown by the decemviral authority, but likewise strengthened it for the time to come by adding a new law, “that no
 “man should create any magistrate from whom
 “there could be no appeal. It should be lawful
 “and justifiable to kill whoever did so; and the
 “killing him should not be deemed a capital crime.” And when they had sufficiently secured the people by the right of appeal on the one hand, and the protection of the tribunes on the other, that the persons of the tribunes might be revered as sacred and inviolable, they with that view revived some ancient religious usages, which had been almost forgot. And as their persons were inviolable by the ties of religion, they also made an express law for the purpose, “that whoever should injure the tri-
 “bunes of the people, ædiles, judges or decem-
 “virs, his head should be devoted to Jupiter,
 “and his family sold at the temple of Ceres, Li-
 “ber and Libera.” Commentators say, that this

they honor’d; whereas at first, the generality of the tribes did not borrow their names from persons but from places.

The first assembly of the tribes we meet with, is about the year of Rome 263, conven’d by Sp. Sicinius, tribune of the commons, upon account of the trial of Coriolanus. Soon after the tribunes of the commons were order’d to be elected here; and at last all the inferior magistrates and the collegiate priests. The same comitia serv’d for the enacting of laws relating to war and peace, and all others propos’d by the tribunes and plebeian officers, though they had not properly the name of *leges*, but *plebiscita*. They were generally conven’d by the tribunes of the commons; but the same privilege was allow’d to all the chief magistrates,

They were confin’d to no place, and therefore sometimes we find them held in the comitium, and sometimes in the campus martius, and now and then in the capitol.

The proceedings were, in most respects, answerable to those already describ’d in the account of the other comitia, and therefore need not be insisted on; only we may farther observe of the comitia in general, that when any candidate was found to have most tablets for a magistracy, he was declar’d to be design’d or elected by the president of the assembly: and this they term’d *renunciari consul, prætor*, or the like: and that the last sort of the comitia only could be held without the consent and approbation of the senate, which was necessary to the convening of the other two.

law

law makes no person sacred ; but only that he who does them manifest injury is devoted to destruction : therefore an ædile may be arrested and imprisoned by superior magistrates ; which though not expressly warranted by law (for it is injuring one who by this law is not to be injured) yet is an argument, that an ædile is not to be reckoned an inviolable person. They likewise say, the tribunes were declared sacred persons by an ancient oath of the people, at the first institution of their power. Some interpreters assert, that the consuls, and likewise the prætors, because they are chosen under the same auspices with the consuls, have the benefit of this Horatian law ; for they call a consul a judge. But the custom at that time of calling not the consuls, but the prætors, judges, refutes this interpretation. These were the laws made by the then consuls. They likewise ordained, that the decrees of the senate, which before were suppressed, or altered, at the pleasure of the consuls, should be brought into the temple of Ceres to the ædiles ^b of the people. After that the tribune Duilius, brought in a bill to the people, which they passed into a law, “ that whoever “ should deprive them of their tribunes, or create a

^b The commons had no sooner prevail'd with the senate to confirm the office of tribunes, but they obtain'd farther the privilege to chuse yearly, out of their own body, two more officers, to assist those magistrates in the discharge of some particular services, the chief of which was the care of public edifices, whence they borrow'd their name. Rosinus, for distinction's sake, calls them *ædiles plebis*. Besides the duty mention'd above, they had several other employments of lesser note ; as to attend on the tribunes of the people, and to judge some inferior causes by their deputation ; to rectify the weights and measures, prohibit unlawful games, and the like.

A. U. C. 389, two more ædiles were elected out of the nobility, to inspect the public games. They were called *ædiles curules*, because they

had the honor of using the *sella curulis* ; the name of which is generally deriv'd *à curru*, because they sat upon it as they rode in their chariots ; but Lipsius fancies it owes it's name, as well as it's invention, to the Curetes, a people of the Sabines.

The *curule ædiles*, besides their proper office, were to take care of the building and reparation of temples, theatres, baths, and other noble structures ; and were appointed judges in all cases relating to the selling or exchanging of estates.

Julius Cæsar, A. U. C. 710, added two more ædiles out of the nobility, with the title of *ædiles cereales*, from Ceres ; because their business was to inspect the public stores of corn and other provisions ; to supervise all the commodities expos'd in the markets, and to punish delinquents in all matters concerning buying and selling.

CHAP. LV. “magistrate without appeal, should be scourged and beheaded.” All these acts passed though against the will, yet without any opposition from the patri- cians, because none amongst them was hitherto per- sonally injured.

CHAP. LVI. THE tribunician power and liberties of the people being thus established upon a firm basis, the tribunes thought it both safe and a proper time to attack the decemvirs one by one, and pitched on Virginius to be the first plaintiff, and Appius to be the first defendant. When Virginius had appointed Appius a day to take his trial, and the latter came down into the forum surrounded by a band of young pa- tricians, the sight of him and his guards immediate- ly revived the remembrance of his detestable tyranny. Then Virginius spoke thus, “Long harangues were
“invented for intricate cases; I will, therefore, nei-
“ther take up your time in impeaching, before you,
“him from whose cruelty you have delivered your-
“selves by arms; nor will I suffer him to add to
“his other crimes, by an impudent defence of him-
“self. Therefore, Appius, I pass over all the
“wicked and impious actions which you have dared
“to commit, one on the back of another, for the
“space of two years, and confine my accusation
“only to one point; that you contrary to law did
“not allow a free person, who was claimed as a slave,
“to remain in possession of her liberty till a definitive
“sentence, and for this I command you to be led to
“prison.” Though Appius had no hopes of protec- tion from the tribunes, or of favor from the people in the trial, yet he appealed to the tribunes for their inter- cession in his behalf: and when none interposed, as the officer was dragging him away, he cried out “I appeal
“to the people.” Those sacred words, the fence of li- berty, heard from his mouth, who had lately pronoun- ced sentence in direct opposition to that very liberty, occasioned a profound silence. Every one muttered to himself, “that there were Gods, and Gods who did
“not

“ not neglect human affairs ; pride and cruelty, though
“ late, were yet severely punished ; he, who had abo-
“ lished the right of appeal to the people, had yet
“ appealed ; he, who had trampled on all the rights
“ of the people, implored their help ; he, who had
“ sentenced a free person to slavery, was drag’d to
“ prison, without the benefit of that freedom he
“ had denied to others.” Amidst the murmurs of
the assembly, the voice of Appius was heard, im-
ploring the protection of the Roman people. He
enumerated the services his ancestors had done both
in peace and war ; and mentioned, “ his own un-
“ happy zeal for the interest of the Roman people
“ when he abdicated the consulship, to the great of-
“ fence of the patricians, for the sake of procuring
“ laws equally for the benefit of all ranks : likewise
“ the laws of his own instituting, which were still
“ in force, though the legislator was leading to pri-
“ son. As to his good and bad actions, he was
“ willing to stand trial when he should have leave to
“ make a legal defence. At present, as a Roman
“ citizen he demanded, by the common right of citi-
“ zenship, to be allowed to make his defence, and to
“ have the judgment of the Roman people. For he
“ was not so much afraid of their malice, as to have
“ no hopes in the equity and mercy of his fellow
“ citizens. If he was led to jail without being al-
“ lowed to make his defence, he would again appeal
“ to the tribunes, and mind them to beware of
“ treading in the footsteps of those they hated. If
“ the tribunes confessed themselves to have entered
“ into the same combination for abolishing the right
“ of appeal, against which they had accused the
“ decemvirs of having conspired ; he would appeal
“ to the people, and implore the benefit of the laws
“ of appeal, the consular and tribunician laws, which
“ had been made that year. For who needed ap-
“ peal, if he, who had not been condemned nor
“ pleaded in his own defence, had no benefit by it ?
“ What plebeian, what man of low rank, will find
“ protection

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“ protection in the laws, if Appius Claudius finds
 “ none? In his case would be proved, whether ty-
 “ ranny or liberty was established by the new laws;
 “ and whether the right of appeal and intercession
 “ against the oppressions of magistrates, was only an
 “ empty scrawl, or really granted.”

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VIRGINIUS replied, that Appius was the only
 person, who could enjoy no benefit from the laws,
 or from any civil and human compact. “ Cast your
 “ eyes back to his tribunal, the fortrefs of all crimes;
 “ where this perpetual decemvir, preying upon the
 “ goods, persons and lives of citizens, threatned all
 “ with scourging and death; where this contemner
 “ of Gods and men, surrounded by bloody execu-
 “ tioners, rather than lictors, turned his mind from
 “ rapine and murder to lust, and before the eyes of
 “ the Roman people, gave in a present, to his client
 “ the minister of his lust, a freeborn virgin, after
 “ tearing her from the close embraces of her father,
 “ as if she had been a captive in war: where by his
 “ cruel decree, and wicked sentence, he armed the
 “ unhappy father’s right hand against the daughter:
 “ where he commanded her bridegroom, and uncle,
 “ who took up the body of the expiring virgin, to be
 “ led to prison; and was enraged rather at being dis-
 “ appointed of gratifying his lust, than moved with
 “ concern for the murder: that he had built a prison,
 “ which he used to call, *a habitation for the Roman*
 “ *people*. He might again and again appeal, but he
 “ would as often bring him before a judge, to be
 “ tried, whether he had not unjustly condemned
 “ a freeborn person to slavery; if he did not plead
 “ he would command him to be put in prison as a
 “ condemned criminal.” Nobody disapproving of
 what Virginius said, Appius was thrown into jail,
 while most were vexed to the heart, and even the
 people themselves thought their liberty too excessive
 in punishing so great a man. The tribune adjourned
 the day of trial. In the mean time deputies arrived
 from

from the Latines and Hernici, to congratulate Rome, on the reconciliation between the patricians and plebeians, and on that account brought into the capitol a present to Jupiter the good and great, of a crown of gold. It was not of great weight, as these states were not very rich; but the intention of the donors was more regarded than the magnificence of the present. They likewise informed the Romans, that the Æqui and Volsci were making mighty preparations for war. Whereupon the consuls were commanded to share the provinces between them. Horatius's lot was to march against the Sabines, and Valerius's against the Æqui and Volsci. When they issued their edict for levying armies for these wars, from the love the people bore these favorite consuls, not only the young men, but those who had served the legal time, were ready to give in their names, and the most of them as volunteers; by which means the army was not only increased in numbers, but strengthened in quality by the mixture of these veterans among the raw soldiers. Before they left the city, they hung up in the forum the decemviral laws, which go by the name of the twelve tables, engraved in brass. Some historians say, that the ædiles, by the command of the tribunes, performed that office.

C. Claudius, who, not able to bear the wickedness of the decemvirs, but above all abhorring the pride of his nephew, had withdrawn to Regillum, his ancient native country, being now an old man, returned to solicit his deliverance from danger, whose vices he had fled from, and in a fordid dress went about attended by his kinsmen and clients, soliciting the favor of every one he met. He conjured them, “not to stamp so indelible a mark of
“infamy upon the Claudian family, as to cause
“them to be considered as meriting bonds and imprisonment. Not to suffer a man, whose image
“would make an honorable figure in after ages, the
“maker of laws, and establisher of the Roman rights,
“to

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LVIII.

“ to lye in irons among house breakers and thieves.
 “ That they would a while suspend their resentment,
 “ and seriously enquire into and ponder the case:
 “ and rather, at the earnest entreaties of so many
 “ Claudii, pardon one of that family, than despise
 “ the supplications of so many through their hatred
 “ to one. It was on the score of kindred and name,
 “ not that he was reconciled to the person, whose mis-
 “ fortunes he desired to relieve, that he made this ap-
 “ plication to them. By their courage they had reco-
 “ vered liberty, but it was clemency alone which could
 “ re-establish concord between the several orders of the
 “ state.” Some were moved rather by his affection to
 his kinsman, than out of regard to him for whom he
 pleaded. But Virginius on the other hand besought
 them “ rather to have compassion for him and his
 “ daughter. Not to hearken more to the solicitations
 “ of the Claudian family, which had tyrannized over
 “ them, than to the prayers of Virginia’s friends
 “ and of three tribunes, who implored help and
 “ assistance from these very people, for whose de-
 “ fence they had been created.” The tears of the
 last seemed most reasonable. So that Appius, hav-
 ing lost all hopes of favor, killed himself before the
 day of trial. Then was Sp. Oppius, the most odious
 decemvir next to Appius, prosecuted by P. Numito-
 rius, because he had been in the city, when his col-
 league passed the unjust sentence of slavery against
 Virginia. But an injury he himself had done drew
 more hatred upon him, than his not obstructing Ap-
 pius’s infamous decree. A witness was produced, who
 had served twenty seven years in the army, and had
 been eight times honored with extraordinary military
 rewards. Carrying these gifts in his hand he rent his
 robe in sight of the people, and shewed his back torn
 with rods ; offering “ if Oppius could lay any real
 “ crime to his charge, to give him leave, now he was
 “ a private person, to exercise his cruelty on him
 “ a second time.” Oppius was likewise led to pri-
 son, and before the day of his trial put an end to his
 life

life with his own hand. The tribunes confiscated Appius and Oppius's effects, and applied them to the service of the public. Their colleagues only escaped by going into banishment, and their effects were likewise confiscated, and put to the same use. M. Claudius, who had claimed Virginia as his slave, was condemned to death on the day appointed for his trial. But Virginus remitted the severest part of the punishment, and being set at liberty, he went in banishment to Tibur. And thus at length the ghost of Virginia, happier in death, than fortunate in life, having wandered over so many houses seeking revenge, when none of the guilty persons remained, was appeased.

THE senators, seeing the tribunes as absolute as ever the decemvirs had been, were under terrible apprehensions, when M. Duilius, tribune of the people, seasonably restrained this excessive power within due bounds. He said, “ we have already sufficiently established our liberty and avenged ourselves on our enemies. Therefore during the remainder of this year, I will neither suffer any man to be prosecuted or imprisoned. For I order, that old crimes, already forgot, be not revived, seeing the new are expiated by the punishment of the decemvirs; and the constant care of both your consuls, in protecting your liberty, is a sufficient security that nothing will hereafter be allowed, that can require the assistance of the tribunes.” This moderation of the tribune in the first place dispelled the fears of the senators, but on the other hand increased their dislike of the consuls, because they had been wholly devoted to the people; and because a plebeian magistrate had shewn more regard for the safety and liberty of the senators than a patrician: and it appeared that their enemies had been glutted with revenge, before the consuls shewed any intention of restraining their licentiousness. Many senators blamed themselves for too easily complying in ratifying those

those laws which had been proposed by the consuls; and there is no doubt but it was the distracted state of the republic which had obliged them to temporize.

CHAP.

LX.

Y. of R. 305.

B. J. C. 448.


THE consuls, having settled matters in the city, and firmly established the condition of the people, went each into his own province. Valerius by policy maintained the war against the armies of the Æqui and Volsci, which had now joined at Algidum. Had he immediately risked a battle, I don't know (considering how the courage of the Romans and their enemies stood affected by reason of the decemvirs ill conduct) whether he would not have fought at a great disadvantage. He kept his soldiers close within their lines, which he had formed about a mile from the enemy, who ranged themselves in order of battle in the vacant space between the two camps. The Romans returned no answer to their bravadoes. At length the Æqui and Volsci, wearied with standing, and in vain expecting battle, and thinking the victory fairly yielded to them, went part into the country of the Hernici, and part into the Latine territories to ravage them, leaving behind rather a sufficient guard to defend their camp, than a force able to cope with their enemy in a set battle. When the consul perceived this, he in his turn put them in fear, and drawing out his men in battalia bid them a defiance. But conscious of the inequality of their troops, they avoided coming to a battle, which immediately animated the Romans extremely, and made them deem their enemies, who were in great consternation within their camp, as a sure prey. The Romans stood all day under arms, but retired, at night, full of hope, and refreshed themselves. But the enemy were far from being in equal spirits, and sent out expresses every where to recal their troops, which were marauding. Those who were in the adjacent parts returned, but those at great distance were not found. At break of day the Roman army marched out of their camp, in order to attack the enemy's intrenchments,



trenchments, in case they should not come out to fight. But when the greatest part of the day was spent without any motion on the part of the enemy, the consul gave the signal for the attack. Upon this motion of his troops, the Æqui and Volsci were enraged, to think that their victorious army should be defended rather by a rampart than by valor. With great importunity therefore they obtained the signal of battle, from their generals. When part of them were already marched out at their camp gates, and others followed in great order, each man in his rank, the Roman consul advanced against them before they could be supported by the whole of their troops. Charging them before they were all come out, or those who were could be regularly formed, but like a mob wavering to and fro, and looking about themselves, and on their fellow soldiers, he, to add to their fear, begun the attack with a great shout. At first they gave ground, but recovering their spirits, and their generals every where upbraiding them with yielding to those they had before conquered, they rallied and renewed the fight.



ON the other hand the consul bid his men remember, “ That this was the day they had
 “ first occasion to fight as freemen and for a free
 “ state: they were to get victory for themselves,
 “ and not to fall a prey to decemvirs after they
 “ had conquered. They fought not now under
 “ the conduct of Appius, but of the consul Vale-
 “ rius, who was descended of deliverers of the
 “ Roman people, and was himself their deliverer.
 “ They ought to shew, that it was owing to the
 “ generals, not to the soldiers, that they had not
 “ conquered before. It were shameful for them to
 “ have shewn more courage against their fellow citi-
 “ zens, than now against enemies, and to have been
 “ more apprehensive of slavery at home, than from
 “ foreigners. As for Virginia she was but one,
 “ whose

CHAP. LXI.  whose chastity had been in danger in time of peace, and that the lust of Appius alone was dangerous to her; but if the fortune of war should be against them, all their children would be in danger from so many thousand enemies. He would not forebode what he hoped Jupiter and their father Mars would not suffer to befall a city, founded on so lucky auspices. He put them in mind of the Aventine and sacred hills, that as there they had a few months before gained their liberty, thither they ought to carry back their power unsullied. They ought to give proof, that the Roman soldiers were as brave after the expulsion of the decemvirs, as they had been before they were created; and that the Roman valor was not diminished by laws, which established equality in the state." Having thus harangued the foot in midst of their ensigns, he flies to the horse: "Come on, my lads, outdo the foot by your prowess, as you exceed them in honor and rank. The foot at the first onset made the enemy give ground, and now they are pushed do you give the reins to your horses and drive them out of the field. They will not be able to stand your charge; they now rather hover, than fight." Upon this they put spurs to their horses, and drove against the enemy, already disordered by the charge of the foot; and having broke through their ranks, penetrated to the farthestmost line. Some of them taking a compass in the open space, blocked up the way to the enemy's camp, who were flying on all sides, and outriding them frightened them from coming that way. The battalions of foot with the consul himself, and the whole heat of the battle turned upon the camp, which was taken with great slaughter, but greater booty. The news of this battle was carried not only to the city, but to the other camp in Sabinia. It was solemnized with great rejoicings only in the city, but in the camp animated the soldiers with an ambition of rivalling so glorious an action. Now

Horatius,

Horatius, by exercising his men in making excursions, and trying their courage in slight skirmishes, had accustomed them rather to confide in their own bravery, than remember the affront they had received under the conduct of the decemvirs; and these little encounters had made them confident of victory, whenever they should come to a decisive action. Nor did the Sabines, flushed with their success the preceding year, cease to provoke and urge the Romans, asking them with scorn, “ why they wasted their time in frequently
 “ fallying in small parties like robbers, and as often
 “ returning, and thus by many light skirmishes spun
 “ out a war which might be determined at one blow?
 “ Why would they not come to a general battle, and
 “ at once try which side fortune would favor?”

BESIDES that the Romans had of themselves sufficiently recovered their courage, they were likewise fired with indignation. The other army, already victorious, was on the point of returning to the city, whilst the enemy was insulting them by their reproaches. Besides, when would they be a match for their enemies, if they were not then? When the consul perceived these murmurings of his soldiers in the camp, he assembled them and addressed them thus. “ I suppose, soldiers, you have heard of the
 “ battle at Algidum; the army there behaved, as
 “ that of a free people ought; and the victory was
 “ obtained by the wise conduct of my colleague, and
 “ the valor of the troops. As for my part I will
 “ follow such advice and take such resolutions as you
 “ shall suggest to me. The war may both be spun
 “ out with advantage, and speedily put an end to. If
 “ it must be protracted, I will observe the same method, I laid down at first, for daily increasing your
 “ hopes and valor. If you have already courage
 “ enough and are resolved to fight, set up such a shout,
 “ as you would do if you were going on to an attack, as a mark of your inclination and bravery.”

When, with great cheerfulness, the soldiers set up a

CHAP. terrible shout, he assured, them, “ That he would
 LXII. “ comply with their inclination, and lead them to
 “ battle next day, which he prayed might prove au-
 “ spicious.” The rest of the day was spent in prepar-
 ing their arms. Next morning, as soon as the Sa-
 bines, who were as desirous of coming to an engage-
 ment, perceived the Romans drawn up in order of bat-
 tle, they marched out likewise. The fight was such as
 might be expected from two armies confident of vic-
 tory, the one animated with the remembrance of their
 ancient and perpetual glory, and the other flushed
 with the victory they had lately gained. The Sabines
 helped their force by a stratagem ; for when they drew
 up in battle array, they kept a reserve of two thousand
 men without their ranks, which were to fall on the
 left wing of the enemy in the heat of the action. This
 corps-de-reserve, making a furious attack in flank, al-
 most surrounded the left wing. But two squadrons of
 Roman cavalry, almost to the number of six hundred
 men, dismounted, flew to the front of those who were
 giving ground, and made head against the enemy :
 at first they shared the danger equally with the infan-
 try, and afterwards animated them to fight through a
 sense of shame. They blushed to see the horse do both
 their own and others duty in the battle, and them-
 selves be outdone by the cavalry, even when they had
 dismounted and fought on foot.

CHAP. UPON that they rallied, returned to the post they
 LXIII. had abandoned, and in an instant the battle was not
 only renewed, but the opposite wing of the Sabines
 gave way. The horse, covered by the foot, re-
 mounted, and galloping at full stretch to the other wing
 of the army, informed them of the victory. At the
 same time they charged the enemy, who were in great
 consternation at the rout of the main strength of their
 army. None signalized their bravery more in the ac-
 tion. The consul was very active, and carefully looked
 to every thing ; he commended the brave, and reprimanded
 those who fought but faintly. Immediately
 thol

those whom he did exerted themselves like brave men. For a sense of shame had the same influence on them, that commendations had on others. A fresh shout was raised, and attacking on all sides in close battalia, they put the enemy to flight, who were no longer able to stand the violent shock of the Romans. The Sabines being routed, and dispersed through the fields, left their camp a prey to the enemy. There the Romans found not only the spoils, which had been taken from their allies, as in the camp at Algidum, but also recovered the booty, which had been carried away in ravaging their own lands. For these two victories, gained in two different battles, the senate out of jealousy decreed only a supplication and thanksgiving for one day in name of the consuls. But the people, by their own authority, went in crowds to offer their supplications the next day, and even this unauthorized and popular one was celebrated with the greatest solemnity. The consuls by concert came to Rome, one on the first the other on the second of these two days, and assembled the senate in the campus martius, where after a recital of their exploits, the principal senators complained, that their meeting was held in the camp, with a design to intimidate them. From thence the consuls, to avoid reflections, adjourned it to the Flaminian meadows, where now stands a temple of Apollo, but which were then called Circus Apollinaris. Here the senators almost unanimously refused them a triumph; upon which L. Icilius, the tribune, brought it before the people. Many senators went out to oppose it, but C. Claudius in particular exclaimed against it in these words.

“ The consuls intended to triumph over the senators,
 “ not over enemies, and sought an acknowledgment
 “ for some private service done to the tribune, not
 “ an honorable reward of their valor. A triumph had
 “ never before been submitted to the judgment of the
 “ people. The merit and decreeing of it had always
 “ been the prerogative of the senate. Their very
 “ kings had never abridged the privileges of that
 “ high order. Let not then the tribunes engross all

CHAP. LXIII. “ power to themselves, so far as to exclude a council
 “ of state. For the state could be no longer free,
 “ nor laws equal, than each rank of persons therein
 “ confined themselves to their own rights, and main-
 “ tained their own authority.” Several other of
 the old patricians spoke many things to the same
 purpose; but the tribes unanimously agreed to the
 motion. This was the first triumph by authority of
 the people, without a decree of the senate.

CHAP. LXIV. THE gaining of this grand point, by the tribunes
 and people, had almost occasioned a licentiousness at-
 tended with dangerous consequences. For the tri-
 bunes formed a design of having themselves re-chosen
 for the next year; and the better to conceal their am-
 bitious views, proposed to continue the same consuls
 in office. To support this scheme, they urged the
 thorough agreement of the senators, by which, in
 despite to the consuls, the rights of the people would
 be destroyed. “ For what would be the consequence,
 “ if the consuls, while the laws were not yet firmly
 “ established, should, by their factions, make attempts
 “ on the new tribunes. Such public spirited men as
 “ the Valerii and Horatii, who preferred the liberty
 “ of the people to their own interest, would not al-
 “ ways be consuls.” It happened very luckily at that
 juncture, that the lot fell on M. Duilius, a prudent
 man, to preside at the comitia. He, foreseeing the
 great offence that would attend continuing the same
 magistrates in office, declared, that he would have
 no regard to the vote of any person in favor of the old
 tribunes. His colleagues opposed this, saying, the peo-
 ple ought either to be left at liberty in giving their
 votes, or he give up his place to some of his colleagues,
 who would preside at the comitia in a manner agreeable
 to law, rather than the pleasure of the senators. Du-
 ilius sent for the consuls to their tribunal, and asked
 them, what they intended to do in the comitia for elec-
 tion of consuls. They answered, that they would create
 new ones. Finding these men, who had always fa-

vored

vored popular schemes, no abettors of this, he went out with them into the assembly, and producing them before the people put this question to them, whether, in case the Roman people, out of gratitude for recovering liberty to them at home, and for their services in war and other worthy acts, should re-elect them consuls, they would accept of the office? They answered as before. Duilius, praising the consuls for their steadiness, in not imitating the decemvirs, held the comitia; and after five tribunes were chosen, plainly perceiving, that the canvassing of the nine old ones hindered the other candidates from having a majority in the tribes, he dismissed the assembly; nor did he again assemble the comitia. He said the law was fulfilled, for it no where determined the precise number, provided room was left for chusing more; and gave authority to those already elected to chuse themselves colleagues. Then he read a copy of the act, which ran thus. “ If, when a bill is brought in for
“ the election of ten tribunes, less than that number
“ shall be chosen on the day of election; then those
“ who are elected shall chuse themselves colleagues,
“ and whom they shall so chuse, shall be deemed
“ legal tribunes of the people, as well as those who
“ were appointed on the day of election.” Thus Duilius continuing steady to the last, and insisting that the republic could not have fifteen tribunes, disappointed the ambitious views of his colleagues, and laid down his office, equally dear to both patricians and people.

THE new tribunes had great regard to the re-commendations of the senators in the choice of their colleagues; and even pitched on two patricians of consular dignity, Sp. Tarpeius and A. Æternius. Lar. Herminius, and T. Virginius Cœli-montanus were chosen consuls. As they were not much biassed in favor of either patricians or plebeians, there was great tranquillity both at home and abroad during their administration. L. Trebonius, tribune of the people, exasperated against the senators,

CHAP.

LXV.

M. Gegani-
 nius Maceri-
 nus and
 C. Julius
 consuls.
 Y. of R. 307.
 B. J. C. 446.

because he said he had been traped by them in the choice of tribunes, and betrayed by his colleagues, proposed the following law, "That whenever tribunes of the people are to be chosen, let him who presides continue the comitia, till ten are chosen;" and passed his whole tribunate in harassing the patricians, whence he got the surname of Asper^a. After that M. Geganius Macerinus, and C. Julius were made consuls. They quelled the cabals of the tribunes formed against the young patricians, without inveighing against their power, or condescending to any thing below the dignity of the patricians. They restrained the people from seditions, by decreeing levies for the support of the war with the Æqui and Volsci, without completing them. They assured them that living in peace at home would secure quiet abroad, and that intestine broils gave spirits to foreign nations. Thus their care to secure peace abroad contributed much to maintain domestic tranquillity. But the one order always took advantage of the moderation of the other. The people were very quiet when the young patricians begun to harass them. When the tribunes attempted to succour the weakest, they had little success at first. But at last they themselves did not escape without injury, especially in the last months of their office; the nobility exercising their oppressions by their cabals, and the power of all magistracies being but faintly executed towards the end of the year. And now all the people's hopes centred in chusing tribunes like Icilius; for during the two last years they had had only nominal ones. On the other hand the old patricians, as they were sensible that their youth were too licentious, so they were better pleased, since some party must exceed due bounds, to see this extravagance in their own order, than in that of their enemies. So difficult a thing is it to hold an even balance in defence of liberty; for every one, under pretence of maintaining an equilibrium, so raise their own

^a Mutinous.

side, as to depress the other ; and by endeavouring not to have any thing to fear from others, insensibly make themselves formidable. And thus we impose injuries on others, which we remove from ourselves as if there was an absolute necessity of either committing or suffering wrong on one side or other.

CHAP.
LXV.

T. Quinctius Capitolinus a fourth time, and Agrippa Furius were then made consuls, who, on their entering into office, found the state neither engaged in domestic broils nor foreign wars. But both were near at hand. For the dissensions of the citizens could be no longer restrained, and both people and tribunes were so exasperated against the patricians, that several of the latter had days appointed to take their trial, and the assemblies for that purpose always afforded fresh matter of contest. Upon the first rumor of which the Æqui and Volsci, as if they had received a signal, took up arms. Their chiefs, from a desire of plunder, egged them on, assuring them, that, since the people had thrown off all authority, the Romans had not been able to complete the levies which had been ordered two years before. “ This was
“ the reason why an army had not been sent against
“ them. The vigor of their discipline was enervated
“ ed by licentiousness, and they reckoned Rome
“ no longer their common and native country. They
“ now turned upon themselves all their resentment
“ and revenge against foreign nations. Now was
“ the time to destroy these wolves^a blinded with
“ their domestic broils.” They first laid waste the Latine territories with their confederate troops; and meeting no resistance there, to the great joy of those who advised the war, advanced in triumph to the very walls of Rome, plundering the country about the Esquiline gate. They shewed, in an insulting manner,

CHAP.
LXVI.T. Quinctius
Capitolinus
and Agrippa
Furius
consuls.
Y. of R. 308.
B. J. C. 445.

^a The Romans were often called *wolves* by their enemies, either in allusion to Romulus's being suckled by a wolf, or to the warlike genius

of that nation, who in imitation of that rapacious animal as it were preyed on the nations round it.

Rome the spoil of her lands, drove off their booty with impunity, and then retired in a body to Corbio, upon which Quinctius called an assembly of the people.

CHAP.

LXVII.

IN this assembly, as I am informed, he made the following speech. “ Romans, though I am conscious
 “ to myself of no crime, yet I appear in this assembly
 “ overwhelmed with shame. That you should know,
 “ and it should be told to posterity, that, in the fourth
 “ consulship of T. Quinctius, the Æqui and Volsci,
 “ who were lately scarce a match for the Hernici, ad-
 “ vanced to the very walls of Rome, and retired un-
 “ punished. If I could have foreseen this disgrace
 “ (though we have long lived in such a manner, and
 “ the present situation of affairs is such, that my mind
 “ could presage no good from it) if, I say, I could
 “ have foreseen that this event was especially reserved
 “ for this year; I would have avoided the office ei-
 “ ther by banishment or death, if I could not have
 “ escaped it in a more honorable way. Is it then
 “ possible that Rome would have been taken in my
 “ consulship, if these enemies, who were in our gates,
 “ had had arms! Alas! I have reaped honors suf-
 “ ficient, and rather lived too long; it had been
 “ better for me to have died in my third consulship.
 “ Whom then did the dastardly enemy despise? Us
 “ consuls? or you, the Roman people? If the fault
 “ is ours, depose us, who are unworthy to go-
 “ vern you; and if that is not sufficient, punish us
 “ over and above. If it is yours, let neither Gods
 “ nor men, O Romans, punish your sins, only
 “ may you at length repent. But the truth is, they
 “ neither despised your cowardice, nor relied on
 “ their own valor; for after being so often routed and
 “ put to flight, driven out of their camps, amerced
 “ in their lands, and made to pass under the yoke,
 “ they know both you and themselves too well. Dis-
 “ cord among the orders of the state is the bane of
 “ this city; the contests between the patricians and
 “ ple-

plebeians; while we set no bounds to our desire of rule, and you carry your love of liberty to excess; while you are weary of patrician, and we of plebeian magistrates, the enemy takes courage. For God's sake, what do you aim at? You desired tribunes of the people, we granted them for the sake of peace. You wanted decemvirs, we suffered them to be created. You grew weary of decemvirs, and we obliged them to lay down their office. Nay because you continued your resentment against them when become private persons, we suffered the most noble and honorable men of the state to be put to death and banished. You desired to have the tribuneship revived. You had it. We have allowed you to create consuls in your own interest; although we saw the injustice which was thereby done to the patricians. We likewise see the people presented with the patrician magistracies. You have enjoyed the protection of the tribunate, the right of appeal to the people, and at pleasure imposed laws of your own making on the patricians. Under pretext of getting equal laws, we have suffered and born the abolition of all our prerogatives. Shall there ever be an end of contentions? Shall ever the orders in this city be united, shall ever this become a common country to us all? We who are the losers behave with more temper, than you who have got the victory. Is it not enough that you are formidable to us? against us you encamped on mount Aventine; against us you seized mount Sacer. None of you repulsed your enemies the Volsci, when they had almost taken the Esquiline gate, and were even scaling your ramparts. Against us you shew your bravery, against us you take up arms."

CHAP.
LXVII.

"COME then, when you have blockaded this tribunal, made the forum a scene of war, and filled the prisons with the chief of the patricians; do

CHAP.
LXVIII.



“ do but march out at the Esquiline gate in the same
 “ martial temper : or if you dare not do that, at
 “ least mount your ramparts, and behold your lands
 “ laid waste by fire and sword ; see the booty car-
 “ ried away ; look upon your houses lately burnt,
 “ and still smoking. But moreover, the common-
 “ wealth is hereby reduced to greater extremity ;
 “ your country is all on fire, the city invested, and
 “ your enemy triumphant conquerors. What ac-
 “ counts will you soon have of the miserable condi-
 “ tion of your farms ? Each of you will soon receive
 “ tidings of his losses. Who is there in the city,
 “ that can repair these damages ? Will your tribunes
 “ make up and recompense them ? They will
 “ indeed amuse you with speeches and harangues,
 “ accuse the patricians, make laws on the back of
 “ laws, and call assemblies in abundance. But did
 “ any one ever return home from their assemblies,
 “ the richer or better for all they said ? Did any
 “ man ever carry back any thing to his wife and
 “ children, besides enmity, injuries, and both pri-
 “ vate and public grudges ? from the fatal effects
 “ of which you have been preserved in safety, not
 “ by any valor or innocence of your own, but by
 “ the help of others. But in truth, when you
 “ served under us consuls, not under your tribunes,
 “ when you were in the camp, not in the fo-
 “ rum, when by your shouts you terrified your
 “ enemies in battle, and not, Romans, the patri-
 “ cians by your noise in your assemblies, you gained
 “ booty, and took lands from your enemies, and
 “ returned triumphant home and to your Gods,
 “ loaden with riches and glittering in renown. Now
 “ you suffer your enemy to go away loaded with your
 “ effects. Stand by your assemblies, live in the fo-
 “ rum. That necessity, which you avoid, pursues
 “ you, and will oblige you to fight. Was it a hard
 “ task to march out against the Æqui and Volsci ?
 “ The war is before your gates : if it is not beat
 “ off, it will soon be within our walls ; it will scale
 “ the citadel and capitol, and pursue you even into
 “ your

“ your houses. Two years before the senate com-
 “ manded levies to be made, and an army to be
 “ led to Algidum. We have ever since loitered at
 “ home, idly quarrelling with one another like wo-
 “ men ; content with our present enjoyment of
 “ peace, but not reflecting, that that very peace
 “ would, in a short time, bring many wars upon
 “ us. I am sensible, that other topicks would be
 “ more to your liking. Although my natural dis-
 “ position dissuades me, yet necessity obliges me ra-
 “ ther to speak cutting truths, than to flatter you.
 “ I would indeed willingly please you, but I rather
 “ chuse to prevent your ruin, whatever your future
 “ sentiments of me shall be. Human nature is so
 “ formed, that he who flatters the multitude for
 “ his own interest, pleases more, than he who has
 “ no view, but public benefit. But perhaps you
 “ think, that these open flatterers, these popular
 “ men, who will neither let you live in peace, nor
 “ take up arms, are spurring and egging you on to
 “ your good : No ! When they have excited you,
 “ their’s will be the honor and gain : and because
 “ they see themselves little regarded, when unani-
 “ mity reigns among the orders of the state, they
 “ had rather raise mischief, broils, and seditions,
 “ than not be taken notice of. If therefore you can
 “ at length disentangle yourselves from these chains,
 “ if you will reassume the ancient spirit of your fa-
 “ thers, and your own brave conduct, instead of
 “ this lately adopted, I will be bound to suffer
 “ any kind of punishment, if I don’t within a
 “ few days rout and put to flight these ravagers
 “ of our lands, drive them out of their camps, and
 “ carry all the terror of this war, which alarms you
 “ so greatly, from our gates and walls, to their
 “ own cities.”

THE harangue of a popular tribune has seldom
 at another time been received with greater applause
 of the people, than the stinging speech of this ve-
 nerable

nerable consul was at this. The youth who were wont on such occasions of fear to refuse to enrol themselves for the war, the severest wound they could give the patricians, now breathed nothing but war and arms. The flight of the plundered and wounded peasants, who gave out, that more cruelty had been exercised than what they now beheld, filled the whole city with rage. When the senate was assembled, the eyes of all were attentively fixed on Quinctius, whom they looked on as the only assertor of the Roman dignity. The chiefs of the senate said, “his speech was worthy of the honorable post he filled, worthy of the former consulates he had held, worthy of his whole life, which was a series of honorable offices he had often enjoyed, and oftner merited. Other consuls had either flattered the people by betraying the interests of the patricians, or by rigidly maintaining the rights of the senate, had rendered the people quite ungovernable. But T. Quinctius in his speech had regard to the Roman dignity, harmony among all ranks, and had particularly adapted it to the times. They besought him and his colleague to maintain the interest of the republic. Then they addressed the tribunes, entreating them cordially to join with the consuls in removing the war from their gates and walls, and to engage the people to obey the patricians chearfully in this dangerous juncture. Their common country addressed itself to the tribunes, and implored their aid, now their lands were laid waste, and the city almost besieged.” Levies were unanimously decreed and made. Then the consuls spoke to the assembly as follows. “There is now no time to enquire into the excuses of them who absent themselves; the youth must all be ready by break of day to-morrow in the campus martius. When the war should be ended, they would take time to enquire into the excuses of those who had not given in their names; and would treat all as deserters, whose excuse should

“ not

“not be sustained” All the youth rendezvoused there next day, and each cohort chose their own centurions, and two senators were placed at the head of each cohort. We find on record, that all this was completed with such expedition, that the ensigns were ready and brought out of the public arsenal by the quæstors^a, and by the fourth hour of the day, the troops moved out of the field. And this new army, together with a few cohorts of veteran troops who followed as volunteers, halted ten miles from Rome. The next day it came in fight of the enemy, and encamped close to them at Corbio. Neither side delay’d to give battle on the third day, the Romans prompted by resentment, and their enemies by a consciousness of their frequent revolts, and by despair of pardon.

CHAP.
LXIX.

^a The original of the quæstors (*quærendo*, from getting in the revenues of the state) Dionysius and Livy place about A. U. C. 269. Plutarch indeed, with some small difference, refers their institution to the time of Valerius Poplicola, when he allotted the temple of Saturn for the treasury (to which use it always serv’d afterwards,) and granted the people the liberty of choosing two young men for the treasurers. This was the whole number at the beginning: But afterwards, two others were created, A. U. C. 332, to take care of the payment of the armies abroad, of the selling plunder and booty, &c. For which purpose they generally accompanied the consuls in their expeditions; and upon this account were distinguished from the other quæstors, by the name of Peregrini, and gave them occasion to assume the title of Urbani. This number continu’d till the intire conquest of Italy; and then it was again doubled, A. U. C. 439. The four that were now added, had their residence with the proconsuls and proprætors in the provinces, where they employ’d themselves in regulating the taxes and customs due from thence to the state. Sylla the

dictator, as Tacitus informs us, created twenty quæstors to fill up the senate; and Dio mentions the creating of forty by Julius Cæsar upon the same design.

The chief offices of the quæstors were the receiving, lodging, and carrying out ambassadors; and the keeping the decrees of the senate was appointed them by Augustus, which before had been under the care of the ædiles and tribunes.

From hence came the two offices of quæstor principis, or augusti, call’d sometimes *candidatus principis*, describ’d by Brissionius, and resembling the office of secretary of our state; and quæstor palatii, instituted by Constantine the Great; answering in most respects to the place of the lord chancellor amongst us. Perhaps we ought not here to make a distinction of offices; the quæstoires candidati being honour’d by Constantine with the new title of quæstoires palatii, and admitted to greater trust, and more important business.

The quæstorship was the first office any person could bear in the commonwealth, and might be undertaken at the age of twenty-four or twenty-five years.

WHEN

CHAP.
LXX.

WHEN two consuls are in a Roman army they are vested with equal powers : but at this time Agrippa yielded the supreme command into the hands of his colleague, an action of unspeakable benefit in grand undertakings. Quinctius, who had this honor done him, made a courteous return to his colleague's civility, communicating all his designs, sharing the honor with him, and for his condescension putting him on a level with himself. In the battle Quinctius led the right wing, Agrippa the left, Sp. Posthumus Albus a lieutenant general commanded in the centre, and Servius Sulpicius, another lieutenant general, led on the horse. The foot on the right fought with great bravery, and met with a stout resistance from the Volsci. Servius Sulpicius broke through the enemy's main body with his horse ; and though he might have returned to his own army, before the enemy, whom he had put in disorder, could have closed their ranks, he thought it better to charge them in the rear. He would have routed his enemies, who in this attack were greatly harassed both in front and rear, in an instant, had not the Volscan and Æquan cavalry suspended for a while his victory, by attacking him in his own way. Then Sulpicius called out to his squadrons, “ that they
 “ had no time to lose ; they were upon the point
 “ of being surrounded, and of having all commu-
 “ nication with their own army cut off, if they did
 “ not by a vigorous charge put an end to the battle
 “ with the enemy's cavalry. They ought not to be
 “ content with putting them to flight and saving their
 “ lives, but to cut both man and horse to pieces, that
 “ not one of them might return to renew the battle.
 “ They will never be able to stand before you, who
 “ have already broke the main body of their foot.” They were not deaf to his commands ; at one shock they routed the enemy's squadrons, and dismounting a great many of them, run both riders and horses through with their spears. Thus was the enemy's
 cavalry



cavalry entirely defeated. Then they charged their foot, and sent intelligence of what they had done to the consuls, who had pushed the wings that opposed them. This news animated the Romans extremely, who were gaining ground, and struck terror into the Æqui who were giving way. The victory begun in the centre of the army, where the horse had broke through and put the ranks in disorder. Then their left wing was broke by Quinctius ; but the action was hotter on the right. There Agrippa, in full heat of youth and strength, seeing success attended the Romans every where, but where he acted, snatched the ensigns from those who carried them, and advancing with them himself, began to throw some of them amongst the thickest of the enemy. Then his troops, roused with the fear of shamefully losing them, made a vigorous charge. And thus the victory was rendered complete on all sides. Then came a messenger from Quinctius to inform them that he was ready to attack the enemy's camp, but would not break in, till he knew they had conquered in the left wing. If they had routed their enemies, he ordered them immediately to come and join him, that the whole army might equally partake of the spoil. Agrippa, now victorious, advanced, with mutual gratulations, to his colleague and the enemy's camp ; and having soon routed the few that defended it, broke over the entrenchment without fighting. There the army got a great booty, and having recovered their own effects, which they had lost in the plunder of their country, brought all back together. I don't find that the consuls either demanded or the senate decreed them a triumph. Nor is there any reason assigned, why they either refused or did not expect this mark of distinction. But as far as I can conjecture at this distance of time, seeing the senate had denied a triumph to the consuls Valerius and Horatius, who besides defeating the Æqui and Volsci, had the glory too of putting an end to the Sabine war ; the modesty of the present consuls, who

CHAP. who had done but half that work, hindered them
LXX. from suing for one. Besides had they obtained it,
 the senate would in that case have seemed more to
 have respected persons, than merit.

CHAP. A N unjust judgment of the people, in settling
LXXI. some bounds of their allies, sullied this honorable
 victory gained over their enemies. The Aricini and
 Ardeates, having frequently disputed with their swords
 for a tract of ground, which they both pretended a
 right to, and wearied with many slaughters on both
 sides, at length agreed to submit the case to the ar-
 bitration of the Roman people. When they came to
 solicit their cause, the magistrates convened an as-
 sembly of the people, where it was pleaded with
 great warmth. When the witnesses had been heard,
 and the tribes were just upon the point of voting, an
 aged plebeian, P. Scaptius, rose up and said, “ If,
 “ consuls, I may be allowed to speak for the interest
 “ of the state ; I will not suffer the people to err in
 “ this cause.” When the consuls would neither
 hear nor regard him, and commanded him to be re-
 moved as he was exclaiming that the public in-
 terest was betrayed, he appealed to the tribunes.
 They, being always rather governed by the multi-
 tude than the multitude by them, gave Scaptius leave
 to say what he pleased to the people, who were very
 desirous to hear him. Then he begun, “ I am now
 “ eighty-three years old. I have fought in that
 “ very territory now in question : I was not young at
 “ that time, for I had made twenty campaigns before
 “ the battle of Corioli. Wherefore I will relate this
 “ affair, which though through length of time forgot
 “ by others, is still fresh in my memory. The district
 “ in dispute belong’d to Corioli, and on the taking
 “ of that city, by the right of conquest became the
 “ public property of the Roman people. He was
 “ surpris’d, on what ground the Aricini and Ar-
 “ deates, who had never claimed this territory, while
 “ the state of Corioli subsisted, could hope to carry
 “ it

“ it off from it's legal owners, the Romans, and in-
 “ stead of owning their title had made them arbitra-
 “ tors in the case. He had but a short while to live.
 “ Yet though he was old he could not forbear to
 “ claim by his voice, which was the only method
 “ in his power, that territory, which while a soldier
 “ he had helped by his bravery to conquer. And
 “ he earnestly advised the Romans not to prejudice
 “ their interest by a mistaken modesty.”

THE consuls perceiving, that Scaptius was not CHAP.
 only listened to with attention, but even with appro- LXXII.
 bation, called Gods and men to witness that they were
 committing a most heinous injustice. Then they sent
 for the principal senators, and with them went round
 among the tribunes, and conjured them, “ not to
 “ suffer this crying iniquity, but worse precedent,
 “ for judges to make themselves parties in the cause.
 “ They should consider, that even though it were
 “ justifiable for judges to mind their own advantage ;
 “ yet surely they would not gain so much by the
 “ acquisition of this territory, as they would lose by
 “ alienating the minds of their allies by this noto-
 “ rious injustice. Loss in point of reputation and
 “ integrity was greater, than possibly could be ima-
 “ gin'd. Shall their deputies carry home this news?
 “ Shall they spread it abroad? Shall our allies hear
 “ of it? Nay, shall our enemies hear of it? What
 “ grief will it occasion among the former? what re-
 “ joicing among the latter? Did they think the
 “ neighbouring nations would impute it to that prat-
 “ tling dotard Scaptius? His name indeed will be
 “ made famous by the representation of this deed ;
 “ but the Romans would bear the character of cun-
 “ ning promoters and barrators, who carry off the
 “ profits of other mens law-suits. For what judge, e-
 “ ven in a private affair, would adjudge the thing in
 “ dispute to himself? No! Scaptius himself, though he
 “ had outlived all shame, would not be guilty of this.”

CHAP. LXXII. Thus did the consuls and senators exclaim against what was doing; but avarice and it's abettor Scaptius prevailed. The tribes being assembled, adjudged, "the territory to be the public property of the Roman people." And it is agreed it ought to have been so, had the affair been referred to other judges; but in the present case the justice of their cause does not lessen the infamy of their sentence. Nor did it appear more iniquitous or give more concern to the Aricini and Ardeates themselves, than to the Roman senators. The remaining part of the year was free from all disturbance either at home or abroad.

End of the THIRD BOOK.



T H E
ROMAN HISTORY,

BY

TITUS LIVIUS of *Padua*.

B O O K IV.

The tribunes of the people after a great struggle, occasioned by the opposition of the senators, get a law passed concerning intermarriages of the patricians with the commons. The institution of military tribunes. The administration of the affairs of the Romans both in peace and war, for some years committed to them. The first institution of censors. A territory belonging to the Ardeates which had been taken from its possessors by a decree of the people, restored on pretence of sending a colony to that city. The Romans being distressed by famine, Spurius Maelius a Roman knight distributes corn among the people at his own charge; but having by this means procured the favor of the commons, he aspires to the kingdom, and therefore is slain by Servilius Ahala general of the horse, by order of the dictator Quinctius Cincinnatus. Lucius Minucius, who informed against him, presented with an ox with gilded horns. Statues erected in the rostra for the Roman ambassadors who were put to death by the Fidenates, because they died for the sake of the commonwealth. Cornelius Cossus a military tribune, having slain Tolumnius king of the Veientes, offers the second opima spolia to Jupiter Feretrius. Mamercus Æmilius the dictator limits the duration of the censors office, which formerly had continued five years, to a year and six months, and is on that account stigmatized by the censors. Fidenæ having been subjected to the Romans and a colony sent to it, the inhabitants put the colony to the sword, and rebel against their masters, but are conquered by Mamercus Æmilius the dictator, and their city taken. A conspiracy of the slaves suppressed.

Posthumius the military tribune slain by the army, on account of his cruelty. The soldiers for the first time have their pay out of the treasury. This book, besides these articles, contains an account of the achievements of the Romans against the Volsci, the Veientes, the Fidcnates and the Falisci.

CHAP.

I.

Marcus Genucius and Caius Curtius consuls.

Y. of R. 309.
B. J. C. 444.

THE former consuls were succeeded in their office by Marcus Genucius and Caius Curtius, during whose consulship a great many troubles and disturbances happened both at home and abroad; for in the beginning of the year Caius Canuleius, tribune of the people, proposed a law concerning intermarriages of the patricians with plebeians, which the senators thought had a tendency to pollute their blood and confound the privileges of families; and the other tribunes having at first, with some diffidence, only mentioned their inclination to have the people left at liberty to elect one of the consuls out of their own number, the matter was afterwards carried to so great a height, that nine of them proposed a new law, “empowering the commons to choose the consuls, either from among themselves or the patricians as they should think proper.” But the patricians thought this was not only reducing the nobility to a level with the meanest in the state, but taking the chief power entirely out of their hands to lodge it in those of the people; therefore they heard with pleasure, that the Ardeates had revolted on account of the injury the Romans had done them in adjudging a territory, which they laid claim to, to themselves; the Veientes had laid waste the frontiers of the Roman dominions, and the Volsci and Æqui murmured on account of the fortifications which had been raised at ^a Verrugo: so much did

^a Verrugo was a city belonging to the Volsci, and bordered upon the dominions of the Æqui. It was situated between Cora and Algidum, and to the north of Velitræ. Diodorus Siculus lib. 14. calls it Erruca, and in some copies of Valerius Maximus it is, probably by mistake, called Ferrugo. With respect to the time when

the Romans took it from the Volsci Livy is quite silent, as Glacianus has observ’d; but it is probable they made themselves masters of it at the same time they took Velitræ, in the year of Rome 260, and consulship of Aulus Virginus and T. Vetustus, or in the next year when they took Corioli, of which see Livy lib. 2. cap. 39

did they prefer even the calamities of ^b war to a dishonourable peace. Therefore adding new circumstances of terror to these reports, that the noise of so many wars might silence the claims of the tribunes, they appointed an army to be levied, and preparations for war to be carried on with the utmost vigor, so as, if possible, to exceed those which had been made when Titus Quinctius was consul. Upon this Canuleius made a short speech, but with great warmth, in the senate, wherein he said, the consuls endeavoured in vain, by terrifying the people, to divert them from promoting the new laws, they should never while he lived obtain levies, until the people passed the laws which had been proposed by him and his colleagues, and immediately called an assembly.

CHAP.

I.

AT the same time the consuls enflamed the senate against the tribune, and the tribune the people against the consuls. The consuls said, “the rage of the tribunes could no longer be born; matters were now come to an extremity, and a more dangerous war was raised within the city than without it, nor was the blame of this to be laid upon the people more than the patricians, or upon the tribunes more than the consuls; whatever was rewarded in any state, always flourished and increased in a most remarkable manner: by this means men were train’d to excel in the arts of war and peace. But in Rome sedition had always met with the highest

CHAP.

II.

30. 33. But it is not necessary to suppose it was at all taken from the Volsci by the Romans, it might have been only a town to which the armies of both nations had access, which supposition will sufficiently account for all that our author advances here concerning it.

^b Most commentators suppose these words to be understood of the Roman patricians, but Monsieur Crevier, the author of a late beautiful edition of Livy in six volumes 4to, and upon his

authority Monsieur Guérin, in his French translation of this author, apply them to the Volsci and Æqui. We have taken them in the first sense, not only because it is the most generally received, but also because it seems to depend upon the most obvious and natural construction of the words of the original, yet we have thought proper to take notice of this here, that the ingenious reader may have recourse to the original, and judge for himself.

CHAP.

II.

“ rewards, as it had always tended to the reputation
 “ and character of all and every one who have studied
 “ to promote it. Let the senators call to mind the
 “ majesty of their order as they received it from
 “ their fathers, compare it with the condition in
 “ which they were like to transmit it to their chil-
 “ dren, and see whether they had improved and en-
 “ larged their privileges, as the people had just rea-
 “ son to boast that they had greatly augmented
 “ theirs^a. It was plain that in these circumstances
 “ their contentions were not at an end, nor could
 “ it be expected they should, so long as the au-
 “ thors of dissention were honored in proportion to
 “ the success of their endeavours to disturb the pub-
 “ lic peace. What great matters had Canuleius at-
 “ tempted? No less than to blend all families of
 “ distinction with the meanest of the people, and con-
 “ found the public and private auspices^b, that no-
 “ thing may remain pure and incorrupted in the
 “ state, and that all distinctions being taken out of
 “ the way, no person may know himself or his re-
 “ lations. For what else could be the design of these
 “ promiscuous marriages, but that the senators and
 “ people should indifferently couple together like
 “ wild beasts? That their children may be ignorant

^a There are several different readings of this sentence, and therefore Glacianus, Rhenanus, Sigonius, Gronovius, and other commentators, differ in their sentiments about it. We have followed the reading of Dujatius, who substitutes *utrum* instead of *ut* in Gronovius's emendation of this place, as most agreeable to the author's scope. 'Tis true, it is not pretended that this reading is supported by any edition or manuscript, but all the emendations of other authors, which yield a tolerable sense, are liable to the same objection.

^b Not only did the Romans consult the birds, about momentous affairs of the republic, such as the election of kings, consuls and other officers of state, but in the most important


of their private concerns, as appears from the testimony of Valerius Maximus, lib. 2. cap. 1. “ Of old, says he, no affairs of state were attempted, nor any private affairs of importance transacted without first taking the auspices.” *Apud antiquas non solum publicæ, &c.* This gave rise to the distinction of public and private auspices. In both cases the patricians pretended that their order only had a right to observe them; and from this concluded, that their intermarrying with the plebeians would introduce a confusion in the auspices. Our author seems elsewhere to justify them in this claim, but the plebeians were so far from acknowledging it, that they resented it as a most impudent pretence.


“ to

“ to what family they belong, or to what rites they
 “ are entitled^c, being half patricians, half commoners
 “ and even inconsistent with themselves. But as if
 “ they thought it a small matter to confound all hu-
 “ man and divine rights, these disturbers of the pub-
 “ lic peace were now preparing to invade the con-
 “ sulship. At first indeed they had only talked, of
 “ having one of the consuls elected from among the
 “ people ; but now they had proposed a law that
 “ the people should be at liberty, to choose the con-
 “ suls, either out of their own body or that of the
 “ senators, and they no doubt would elect the most
 “ turbulent they could find. The Canuleii and Iciliii
 “ would therefore be made consuls; but God forbid
 “ that an office of regal dignity should fall under
 “ such contempt, and they would die a thousand
 “ times rather than suffer such a disgrace to be
 “ brought upon it. They were well assured, that if
 “ their ancestors could have conjectured that by
 “ granting every thing they could not make the
 “ people better affected towards them, but on the
 “ contrary they would be still more intractable by
 “ making continually new demands, every one
 “ more unreasonable than the former, they would
 “ have at first ventur’d a pitched battle with what-
 “ ever disadvantages, rather than subject themselves
 “ to such hard terms; but because they had yielded
 “ to them in the institution of tribunes, they had
 “ for that very reason been obliged to make new
 “ concessions. Therefore there could be no end to
 “ dissensions, so long as there were senators and tri-
 “ bunes in the same state: either that order of men
 “ or this office must be laid aside, and it was better
 “ too late than never at all to prevent the effects of
 “ insolence and rashness. Shall they with impunity,
 “ by sowing discord, excite the neighbouring nations

^c By the institution of Romulus every family had sacrifices peculiar to itself, and particular rites of burial, which were annexed to the family and all descended of it. Of this our au-

thor gives a remarkable instance lib. 5. cap. 46. Those who desire a fuller account of the matter may consult Cicero de Legibus lib. 2.

CHAP. II.  to war against their country, and then forbid the state to arm, and defend itself against these invasions they have brought upon it? And when they had given every encouragement to their enemies, except a formal invitation, not suffer an army to be levied against these very enemies? But Canuleius has the boldness to say in open senate, that unless the fathers will yield him the victory, and suffer his laws to take place, he will obstruct the new levies. What else is this but to threaten that he will betray his country, and suffer his native city to be besieged and taken? With what courage must that expression inspire, not the Romans, but the Volsci, the Æqui and the Veientes? Will they not expect that they shall be able to scale the walls of the capitol and citadel, under the conduct of Canuleius, if the tribunes, after having stript the senators of their rights and dignity, shall also divest them of their resolution and courage? As for the consuls they were ready to lead them against their wicked countrymen before they should march against their armed enemies.

CHAP. III.  WHILE the senate were principally employed in hearing such harangues^a, Canuleius spoke to the people in defence of the laws he had proposed, and in opposition to the consuls in this manner. “I think, Romans! I have often formerly observed, how much the senators despised you, and how unworthy they think you are to live within the

^a From a transient view of the words in the original one would be apt to conclude, that Canuleius's speech was pronounced before the senate in answer to the preceding representation of the consuls; but if we take a nearer view of it, we shall soon find that it was addressed to an assembly of the people, and spoke at the same time the consuls were haranguing the senate; for the only speech which Canuleius had in the senate upon this subject was very short,

and we have it in the end of chapter the first. He had no sooner pronounced it than he called an assembly; and as we are told chap. 2. endeavoured to excite the people against the consuls at the same time the consuls were exposing him before the senate. Besides through this long speech he addresses himself to the people not to the fathers, and mentions things done in the senate in such terms as he would not have used had he been in the senate house at that time.

“ walls of the same city with them; but now I am
 “ fully confirmed in this persuasion, from the violent
 “ opposition they make to the laws we have pro-
 “ posed. And yet what else can we propose by
 “ these laws, but to put them in mind that we are
 “ their fellow citizens, and though not possessed of
 “ the same share of wealth and power, yet we inha-
 “ bit the same country. By one of them we demand
 “ the right of intermarrying with them, a privilege
 “ which uses to be granted to those of the neighbour-
 “ ing nations and even foreigners, yea we have grant-
 “ ed the privilege of citizens, an advantage superior
 “ to that of intermarrying with us, even to our
 “ conquered enemies. By the other we propose to
 “ make no new law, but demand the restitution and
 “ exercise of the people’s original right to bestow
 “ honors upon whom they please. What then can
 “ be the reason why they make such a prodigious
 “ stir, as if heaven and earth were falling together?
 “ Why! but just now I narrowly escaped an assault in
 “ the senate? Why! they declare they will not keep
 “ off their hands, and threaten to violate the sacred
 “ authority wherewith I am vested? If the people
 “ of Rome are allowed their freedom in voting, and
 “ have power to bestow the consulship on whom
 “ they please, and suppose even a commoner is not
 “ cut off from all hope of obtaining the highest ho-
 “ nors, if it appears he deserves them, in such a
 “ case cannot this city stand? Is the empire by
 “ this means brought to ruin? and is it as absurd
 “ to suppose a commoner made consul, as to talk
 “ of raising a slave or a freedman to that dignity?
 “ Are you sensible under what contempt you live?
 “ Were it in their power, they would take from
 “ you even your share of this common light: they
 “ are vexed that you draw breath, enjoy the use
 “ of speech, or appear in a human shape: yea (if
 “ you believe them) they say it would be an im-
 “ piety to make a commoner consul. But pray,
 “ if

CHAP.

III.



“ if we are not allowed access to the ^b journals and
 “ records of the pontiffs, do we not know what
 “ even strangers are acquainted with, that consuls
 “ came in the place of kings, and have no power or
 “ dignity which these did not enjoy before them?
 “ Do you think we have never heard that Numa
 “ Pompilius was so far from being a patrician, that
 “ he was not so much as a Roman citizen, but
 “ brought from the country of the Sabines, and
 “ raised to the throne of Rome, by the choice of the
 “ people, and consent of the fathers? that some
 “ time after L. Tarquinius, descended of no family
 “ in Rome, nor even within the bounds of Italy,
 “ but the son of Damaratus the Corinthian, and an
 “ inhabitant of Tarquinii, was made king, even
 “ during the lifetime of the sons of Ancus? That
 “ immediately after him Servius Tullius, though the
 “ son of a captive woman of Corniculum, whose
 “ father was of no account, and his mother a slave,
 “ was advanced to the throne by his own abilities
 “ and merit? I need not speak of T. Tatius the Sa-
 “ bine, whom Romulus the founder of this city as-
 “ sociated with himself in the kingdom. And
 “ while no family was despised, whose virtue made
 “ them conspicuous, the Roman empire did not
 “ cease to flourish and encrease. You may then de-
 “ spise a plebeian consul, though our ancestors did
 “ not disdain to make foreigners their kings, and

^b The Roman fasti were of two kinds, one, which in a strict and proper sense has the name of Kalendar, containing an account of the auspicious and inauspicious festival and work days. Of this sort were the fasti of Cn. Flavius Scriba, which are described lib. 9. cap. 46. Another wherein was recorded the names of the magistrates, and the most memorable transactions of every year, such were the fasti capitolini, fasti Siculi, &c. The commentarii here mentioned, which we have translated records, were these annals, wherein the priests wrote short histories of the transactions of their own times, according

to the account we have lib. 6. cap. 1. wherein these commentarii pontificum are reckoned among the historical records of Rome. All these were carefully kept from the knowledge of the people, and committed to the care of the priests, as we are informed by several authors, particularly Cicero de Oratore, n. 52. And the priests were elected out of the number of the patricians, from the reign of Numa to the consulate of Q. Apuleius Pansa, and M. Valerius Corvus, that is the year of Rome 454, which was 145 years after the consulship of M. Genucius and C. Curtius, against whom Canuleius inveighs in this harangue.

“ though since the abolition of regal government,
 “ strangers of remarkable worth have not been ex-
 “ cluded from the freedom of this city. It was cer-
 “ tainly after this period, that we not only received
 “ the Claudian family from the country of the Sabines,
 “ to the privilege of citizens, but also admitted them
 “ into the number of the patricians. Shall a foreigner
 “ then be first made a patrician, and afterwards con-
 “ sul, and yet a Roman citizen, because he is a ple-
 “ beian, be precluded all hopes of the consulship? Do
 “ you believe it impossible that a brave and active
 “ man, one excelling in the arts of peace and war,
 “ and like Numa, L. Tarquin, or Servius Tullius,
 “ should ever be found among the people? Or
 “ should we meet with such a commoner, is it neces-
 “ sary to exclude him from the administration of
 “ affairs? And shall we rather have for our consuls
 “ such men as the decemvirs, the very worst of all
 “ mankind, who were all patricians, than men re-
 “ sembling the best of kings, who happened to be
 “ descended of obscure families.”

“ IT is true, that since the kings were expelled,
 “ no plebeian has been made consul. But what of
 “ all that? must nothing new be instituted? Seeing
 “ there are many regulations not yet made, the state
 “ being yet in it's infancy, must every thing which
 “ has not been yet done, however useful in it's nature,
 “ be for that reason left undone for ever? In the
 “ reign of Romulus there were no priests nor augurs,
 “ but they were instituted by Numa Pompilius.
 “ There was originally no census in the city, nor
 “ was the people distributed into classes and centuries,
 “ but both were appointed by Servius Tullius. Con-
 “ suls, who had never been before, were instituted
 “ as soon as the kings were expelled. Neither the
 “ name nor authority of dictator existed at first, but
 “ the senators gave them being. There were origi-
 “ nally no tribunes of the people, ædiles nor^a questors,
 “ but

^a Ulpian the lawyer, from Junius Gracchanus, tells us, that Romulus and Numa Pompilius had quæstors, or at least that these officers were instituted

CHAP.

IV.



“ but it was resolved they should be. Within these
 “ ten years we instituted decemvirs for compiling a
 “ body of laws, and laid them aside again. Who
 “ can doubt but in a city that was built to last for
 “ ever, and is continually growing to an immense
 “ extent, new offices, and new orders of priests,
 “ must be instituted, and new privileges and rights
 “ conferred upon particular families and private
 “ men? Did not the decemvirs, but a few years ago,
 “ make this very law against intermarriages between
 “ patricians and people, which was the greatest pre-
 “ judice they could do to the state, as well as the
 “ highest injustice to the people? Can there be a
 “ greater or more notorious insult, than that one
 “ part of the community, as impure, should be declar-
 “ ed unworthy to intermarry with the other? What
 “ else is this, but to have an act of banishment^b pass-
 “ ed against them, and to live as exiles within the
 “ walls of the same city? They are jealous of our
 “ being connected with them by affinity or relation,
 “ they are afraid of our blood’s being united to theirs;
 “ but what occasion for this fear? If this would
 “ pollute that nobility you boast of, which, after all,
 “ the greatest part of you, who are descended of the
 “ Albans or Sabines, derive not from your birth
 “ or families, but from your admission into the order
 “ of senators, an honor to which you were either

tuted before the end of Tullus Hostilius’s reign : Tacitus also informs us, that they were instituted during the regal state of Rome, and after the expulsion of kings, re-established by L. Junius Brutus, adding that the consuls had the privilege of naming them, and which our author takes no notice of, that Valerius Potus, or rather Potitus, were the first quæstors chosen by the people to attend upon military affairs, and give their assistance therein, in the sixty-third year of the consular state, or from the expulsion of the Tarquins. Lipsius proves that he has mistaken the time of this election, and is of opinion that instead of the 63^d he should have said the 23^d year, which coincides with the

year of Rome 267. After which both Livy and Dionysius Halicarn. make frequent mention of quæstors. Whence it appears that Canuleius in this place must be understood of those quæstors, who were annually created to attend upon military affairs.

^b There were two sorts of banishment in use among the Romans, which they call’d *religatio* and *exilium*. Those who were condemned to the first, which is that mentioned in this place, were still understood to remain citizens of Rome, but the last sort deprived those who were sentenced to it of all privileges of this kind, and was the same with the *aquæ & ignis interdictio*,

“ chosen

“ chosen by the kings, or after their expulsion, pro-
 “ moted by the suffrages of the people: could you
 “ not preserve it uncorrupted by your own prudence,
 “ not taking wives for yourselves out of the number
 “ of the commons, and suffering your daughters
 “ and sisters to marry none but patricians? No ple-
 “ beian would ravish a senator’s daughter, such in-
 “ stances of intemperance are only to be found a-
 “ mong the patricians. No person would be oblig-
 “ ed to enter into a marriage contract against his
 “ will. But that this should be prohibited by law,
 “ and marriages contracted between patricians and
 “ plebeians declared void, is a high insult upon the
 “ people. Why do you not enact that the rich
 “ shall not intermarry with the poor? It has been at
 “ all times, and in all nations, left to the private dis-
 “ cretion of parties, to agree upon the family into
 “ which a woman shall be disposed of in marriage,
 “ and upon that out of which a man shall take a
 “ wife; but this liberty you restrain by the sanction
 “ of a most insulting law, that you may make a
 “ schism in the political body, and split one society
 “ into two: why do you not enact that a plebeian
 “ and patrician shall not live in the same neigh-
 “ bourhood, nor walk in the same highway? be pre-
 “ sent at the same entertainment, or appear in the
 “ same forum? What difference is there between
 “ these instances, and a patrician’s marrying a com-
 “ moner, or a commoner a senator’s daughter? Does
 “ this, pray, make any alteration in the rights of
 “ these two distinct orders? By no means; for still
 “ the children will be of the same rank with their
 “ fathers. We want no other advantage by inter-
 “ marrying with you, but that of being treated like
 “ men and citizens; nor have you any reason to
 “ contend with us upon this score, except you
 “ choose to exert your power in casting contempt
 “ and disgrace upon us.

CHAP.

V.

“ TO conclude, whether is the supreme power
 “ lodged in your hands, or in those of the people?
 “ Did we, by expelling the kings, purchase an un-
 “ limited power for you, or an equal share of liberty
 “ to all? You cannot help owning that the people
 “ of Rome may pass a law, if they think proper.
 “ Or as soon as any new motion is made, will you
 “ punish it by ordering an army to be levied? and
 “ as soon as I, by virtue of my office as tribune, be-
 “ gin to summon the tribes to give their suffrages,
 “ will you by your consular power oblige the youth
 “ to take the military oath, and lead them to the
 “ field, breathing threats both against the people
 “ and their tribune? But have you not experienced
 “ twice the force of these threats against the con-
 “ sent of the people? Perhaps you came not to a
 “ rupture with us, because you consulted our safety;
 “ or rather were not hostilities prevented, because
 “ the party which excelled in strength had likewise
 “ the advantage in moderation? Nor, trust me Ro-
 “ mans, will there be any civil war upon this occa-
 “ sion, the patricians will be always ready to try your
 “ resolution, but will never venture to try your
 “ strength. Upon the whole, consuls, the people
 “ are ready to attend you in these wars you mention,
 “ whether real or pretended, if setting the rights of
 “ marriage upon their ancient footing, you will at
 “ last restore union to this divided city; if they have
 “ access to associate themselves with you, and pri-
 “ vate alliances may be concluded between your fa-
 “ milies and theirs; if brave and active men may
 “ entertain hopes of preferment, and be admitted to
 “ places of honor; if in conjunction with you they
 “ are admitted to a share in the administration of
 “ publick affairs; and if, which is most suitable to a
 “ state of uniform liberty, they obey the annual magi-
 “ strates, and have access to command them in their
 “ turn. But if any person shall obstruct these rights,
 “ talk of wars as much as you please, multiply and
 “ encrease

“ encrease them in your accounts, no man will
 “ give his name to be enrolled, no man will take
 “ up arms, none will fight for haughty lords, with
 “ whom they have no share in the honors of the
 “ state, and with whom, in private life, they can
 “ contract no affinity by marriage.

CHAP.

V.

THE consuls having gone to the assembly of the
 people, and the dispute which was at first carried on
 by set speeches, afterwards turning to altercation,
 the tribune asked why a commoner might not be
 made consul? It was answered, perhaps truly, but
 little to the advantage of the patricians in the present
 debate, that no commoner had a right to the auspices,
 and therefore the decemvirs had declared such mar-
 riages void, that a doubtful race might not render
 the auspices uncertain also. The people were pro-
 voked to the highest degree, that they should be
 denied a right to the auspices, as if they were persons
 hateful to the Gods. And as they had in the person of
 their tribune a most strenuous prompter, and were
 themselves no less resolute than he, the controversy
 did not end, till at last, the fathers being worsted, a-
 greed to let the motion concerning marriages be pass-
 ed into a law. For they thought compliance the most
 proper means to induce the tribunes, either to drop
 entirely their other motion concerning the election of
 plebeian consuls, or at least lay it aside till after the
 war; and that the people, satisfied with the advan-
 tage they had obtained with respect to their marriages,
 would be ready to promote the levies. As Canuleius
 was now become very considerable by his victory o-
 ver the fathers, and the favour of the people, the
 other tribunes, encouraged by his success to enter the
 lists, labored with the greatest vigour to promote
 their bill; and, as the report of the impending war
 daily encreased, obstructed the levies. The consuls,
 because they could get nothing done in the senate,
 on account of the violent opposition of the tribunes,
 held meetings of the nobility in their own houses, at
 which

CHAP.

VI.

CHAP. VI. which it appeared, that they must either yield the victory to their enemies or their countrymen. Valerius and Horatius were the only persons of consular dignity, who did not attend these meetings; C. Claudius advised the consuls to employ their arms against the tribunes. But the Quinctii, Cincinnatus and Capitolinus were against putting to death, or offering violence to those whose persons, by the treaty made with the people, they had obliged themselves to hold sacred. At these private meetings it was agreed, that they should allow military tribunes with consular power, to be chosen indifferently either out of the body of patricians or commons, but no alteration should be made in the method of electing consuls. To this the tribunes gave consent, and the people were satisfied. Upon this the comitia was summoned for the election of military tribunes with consular power, and immediately those who had spoke or done any thing to raise or promote sedition, especially they who had served in the office of tribune, offering themselves as candidates, began to make their addresses to their friends, and run up and down the whole forum making interest: so that the patricians at first forbore putting up for that honorable office, not only because they despaired of succeeding with an enraged people, but also as they disdained to serve in company with such persons. But at last, being over persuaded by the chiefs of their party, they declared themselves candidates, that they might not seem to have given up the administration of the government entirely to the people. The event of this comitia shewed that men of sound judgment discover a different temper of mind, when they are contending for their liberties and privileges, and when these disputes are over. The people were satisfied with the regard that had been shewn them, and therefore in the election of tribunes preferred none but patricians. Where shall we now find in one man, that moderation, equity and greatness of mind, which was at this time common to the people in general?

IN the year three hundred and ten^a from the building of the city, A. Sempronius Atratinus, L. Atilius and T. Cæcilius, the first military tribunes with consular power, entered upon their office, and the unanimity which subsisted at home during their administration contributed to maintain peace abroad. Some authors, without mentioning the motion for electing consuls from among the people, say, that because the Romans, besides the defection of the Ardeates, were engaged at the same time in a war against the Æqui, the Volsci, and Veientes, and because the consuls could not manage so many important concerns at once, they elected these military tribunes, and that they were vested with the authority, and used the ensigns of consular power. But this office was not fully established at this time, because three months after they were degraded by a decision of the augurs on account of an informality in their election, C. Curtius, who presided at the comitia, not having pitched the tent^b in a proper manner. At this time ambassadors came

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Y. of R. 310.
B. J. C. 443.

^a Some think that the first military tribunes with consular power were elected in the year of Rome 309, towards the end of the consulship of M. Genucius and C. Curtius, and entered upon the exercise of their office in the year 310. It is more probable, that they were elected in the 310, as Livy asserts, and entered upon their office in the 311; but because their administration expired within three months, that year is not denominated from them, but the consuls who were chosen to succeed them; see Henry Dodwell's tenth dissertation de Cyclis & Chron. Dionysiana. Zonaras asserts, that they were elected in the third year of the eighty-fourth olympiad, when Diphilus was archon of Athens, therefore not in the year of M. Genucius and C. Curtius's consulship, but during the administration of their immediate successors in office.

^b Among other solemnities of the comitia by centuries, particular care was taken that the magistrate who was to hold the comitia, after sacrifice and taking the auspices, together

with the augur within the pomerium, should go out of the city, take possession of his tent, as a general of the Roman army, and sit down in it to observe the birds a second time, while the citizens followed him in arms, with colors display'd, and ranged according to their respective centuries. But he was thought to commit an informality in taking possession of his tent, if before he passed the Pomerium he did not consult the birds, or if they did not give a favorable omen, in which case all that was done was of no effect; and the augurs determined that magistrates created with such informalities should abdicate their office, as we are informed by Dion. Halicarn. lib. 2. Cicero lib. 3. de legibus and lib. 2. de divinatione, Dion. lib. 37. and Plutarch in his life of Marcellus. Some think that by taking possession of the tent here, we are to understand his designing the space of the heavens within which he was to look for a favorable omen. Of this opinion is Jacopo Nardi, the author of an Italian translation of Livy.

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from Ardea, complaining of the wrong which had been done them, but in such terms that it appeared they would not renounce their treaty and alliance with the Romans, if, in reparation of that injury they could obtain the restitution of their territory. The senate answered, “ That they could not reverse the
 “ sentence passed by the people, for as there was no
 “ law nor precedent for this, it might be of preju-
 “ dice to the harmony, which ought to subsist be-
 “ tween the different ranks of men in the state: but
 “ if the Ardeates would wait for a favorable opportu-
 “ nity, and leave it to the wisdom of the senate to
 “ find means for redressing this grievance, they
 “ should afterwards have reason to rejoice that they
 “ had set bounds to their resentment, and be satisfi-
 “ ed that the senate were as hearty in their endea-
 “ vours to prevent their being exposed to injuries,
 “ as careful that if any wrong was done them, it
 “ should not continue long.” The ambassadors, pro-
 mising to lay the whole affair before their state, were
 sent away with marks of respect. As the city had
 no supreme magistrates, the senate met and elected
 an interrex, during this interreign it was disputed for
 several days whether they should elect consuls or mili-
 tary tribunes. The interrex and the senate were for
 holding the comitia for electing consuls, but the peo-
 ple and their tribunes for electing military tri-
 bunes. The senators got the victory, because the
 people being determined in either case to choose
 patricians, gave up a dispute which would answer
 no end: and the principal men of their number
 preferred the comitia, where they were not capa-
 ble of being elected, to that wherein they would be re-
 jected as unworthy; even the tribunes of the people,
 out of respect to the principal senators, dropt a dis-
 pute which they foresaw would have no success. T
 Quinctius Barbatus, who was interrex, elected L. Papi-
 rius Mugilanus, and L. Sempronius Atratinus consuls
 In their consulship the treaty with the Ardeates wa
 renewed, and this very treaty is an evidence tha
 the

L. Papir.
Mugilanus,
L. Sempr.
Atratinus
consuls.
Y. of R. 311.
B. J. C. 442.

they were consuls that year, though they are not mentioned in the ancient annals, nor in the registers of magistrates. I am of opinion that as military tribunes were elected in the beginning of the year, the names of the consuls who were chosen in their place are omitted, as if the authority of the former had continued to the end of it. Licinius^c Macer says, that their names were found in the treaty made with the Ardeates, and in the linen records^d in the temple of Moneta^e. Notwithstanding the Romans were this year so often alarmed by the neighbouring nations, yet there was peace both at home and abroad. Whether during this year military tribunes only were in the administration, or consuls also were chosen in their stead, it is certain that in the next M. Geganius Macerinus for the second, and T. Quinctius Capitolinus for the fifth time were consuls.

THIS year also gave rise to the censorship^a, which though it was inconsiderable at first, afterwards

rose

M. Geganius Macerinus and T. Quinctius Capitolinus consuls. Y. of R. 312. B. J. C. 441.

^c An ancient writer, often quoted by Livy, Vossius lib. 1. de historicis latinis, thinks he is the same with that Licinius, who to prevent his being condemned for bribery and extortion by Cicero when prætor, laid violent hands on himself: he was in Cicero's opinion a considerable orator himself, and father of that remarkable one Licinius Calvus. Be that as it will, this Licinius, of whom our author speaks, was certainly an ancient historian of considerable note, as appears from lib. 7. and chap. 9.

^d Though the ancients commonly wrote on waxed tables and parchment, yet they also made use of other things instead of paper, and even cloth was applied to these purposes. For this we have the testimony of Pliny lib. 13. cap. 11. *In palmarum foliis primo scriptitatum, &c.* "They wrote at first, saith he, on palm leaves, afterwards on the rinds of some sorts of trees, next public records began to be wrote on sheets of lead, and some time after private writings

" were committed to linen cloth or " wax." To this Ausonius alludes in his twenty-third epist.

— *per licia texta querelas*
Edidit & tacitis mandavit crimina chartis.

Books of this kind are the same with what Martianus Capella, lib. 2. de nuptiis philologiæ, calls *carbafina volumina*.

^e The temple of Juno Moneta stood in the citadel, on the spot where the palace of M. Manlius Capitolinus had been built. See a further account of it lib. 7. cap. 28.

^a The word is derived from *censere*, because the censors assessed and valued every man's estate, and rank'd them in their proper centuries, that the Romans might know their strength; though others think the denomination is taken from the other part of the censor's office, whereby they were, as it were, comptrollers and correctors of manners and policy. Lipsius divides

rose to such a height, that it had the direction of the morals and discipline of the Romans, super-intended the senate and the centuries of the knights, settled the bounds of what should be esteemed honorable and disgraceful, and the privileges of private and public places, as well as the Roman taxes were under it's jurisdiction, and entirely at it's disposal. This office owed its rise to the following circumstance; the people had not been rated for a great many years, so that the census could be no longer delayed, and yet by reason of a great many impending wars, it was not in the power of the consuls to manage that affair. It was suggested by the senate, “ That a mat-

vides the duty of this office into two heads; the survey of the people and the censure of manners. As to the former, they took an exact account of the estates and goods of every person, and accordingly divided the people into their proper classes and centuries. Besides this they took care of the public taxes, and made laws in reference to them. They were inspectors of the buildings and ways, and defray'd the charges of such sacrifices as were made upon the common account. With respect to the latter part of their office, they had the power to punish an immorality in any person of what order soever. The senators they might expel the house, which was done by erasing such a person when they call'd over the names. The equites or knights they punish'd by taking away the horse allowed them at the public charge. The commons they might either remove from a higher tribe to a less honorable; or quite disable them to give their votes in the assemblies, or set a fine upon them to be paid into the treasury. And sometimes when a senator or knight had been guilty of any notorious irregularity, he suffered two of these punishments, or all three at once. The greatest part of the censor's public business was perform'd every fifth year, when after the survey of the people, and inquiry into their manners, taken anciently in the forum and afterwards in the villa publica, the censors made

a solemn lustration, or expiatory sacrifice in name of all the people. The sacrifice consisted of a sow, a sheep and a bull, whence it took the name of *suæ taurilia*, the ceremony of performing it they called *lustrum condere*, and upon this account the space of five years came to be signified by the word *lustrum*. 'Tis very remarkable, that if one of the censors died nobody was substituted in his room till the next lustrum, and his partner was obliged to quit his office, because the death of a censor happened just before the sacking of Rome by the Gauls, and was ever after accounted highly ominous and unfortunate. After the second Punic war, they were always created out of such persons as had been consuls, though it sometimes happened otherwise before. Their station was reckoned more honorable than the consulship, though their authority, in matters of state, was not so great, and the badges of the two offices were the same, only the censors were not allowed the lictors to walk before them, as the consuls had. This office continued no longer than to the time of the emperors, who performed the same duty at their pleasure: and the Flavian family, that is, Vespasian and his sons, took a pride to be call'd censors; and put that among other titles upon their coin. Decius the emperor entered on a design of restoring the honor to a particular magistrate, as heretofore, but without success.

ter of great difficulty and below the dignity of a
 consul, required a peculiar officer, who should have
 authority over the clerks, the keeping of the tax-
 rolls, and determine the method of performing the
 census." However inconsiderable this office might
 seem at first, the fathers received the proposition
 with joy, as it was like to encrease the number of
 the patricians, who bore offices of state. I am of
 opinion, they also thought, as it afterwards happened,
 that the interest and power of those, who served in
 this office, would in a short time conciliate authority
 and respect to the office itself. The tribunes of the
 people considering it rather as a necessary than honor-
 able institution, which at that time was indeed the
 case, did not dispute it with the fathers, that they
 might not seem to delight in an unseasonable opposi-
 tion, upon small and inconsiderable occasions. As
 this office was contemned by the principal men of the
 state, the people chose for performing the census, Pa-
 pirius and Sempronius, whose consulship the former
 year we found doubtful, that by the accession of this
 new honor, they might make them amends for the
 imperfection of their former, and they were from
 the name of their office called censors.

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VIII.

DURING these transactions at Rome, embassa-
 dors came from Ardea entreating the Romans, for
 the sake of that most ancient friendship, which had
 subsisted between them, and on account of the trea-
 ty so lately renewed, to assist their state, now almost
 reduced to ruin, by reason of a civil war which
 prevented their enjoying the fruits of the peace,
 they had very wisely kept with them. The
 source and spring of these civil discords is said to be
 owing to the rage of parties, which has been more
 fatal to many states than foreign war, famine, dis-
 tempers and other calamities, which being the se-
 verest strokes that can befall a nation, are generally
 ascribed to the divine anger. Two young men had
 made their addresses to a plebeian virgin, much cele-
 brated

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brated for her beauty, the one her equal, supported by her guardians, who were also of the same rank, the other a nobleman, charmed only by her beauty, recommended by the favor of the nobility. By these means the spirit of party was communicated to the virgin's family. The mother willing to find as honorable a match as she could for her daughter, declared for the nobleman. The guardians, even in this matter, consulting the interest of their party, favored the pretensions of the commoner. As the affair could not be adjusted within the family, they went to law, and the judge having heard the pleas of the mother and guardians, asserted the mother's right to dispose of her daughter in marriage. But violent measures prevented the execution of the sentence. For the guardians having in the publick forum expatiated on the injustice of it, to those of their own party, got a number of men together, seized the virgin, and forced her out of her mother's house. In opposition to them the nobility rose up in great rage, under the conduct of the injured youth, and a bloody battle ensued. The people, unlike to that of Rome^a, being routed, marched out of the city in arms, and posting themselves upon a rising ground, laid waste the lands of the nobility with fire and sword, and having by the hopes of plunder, prevailed upon a great number of mechanicks to come out of the city, which hitherto had not suffered by the war, prepared to lay siege to it. And now war presented itself in all its dreadful scenes and dismal effects, the whole state being as it were infected with the distraction of the two youths, who were endeavouring to secure for themselves a fatal marriage, by the ruin of their country. Neither

^a The Ardeates very nearly resembled the Romans in their party spirit and disputes with their nobility, their rising up in arms, marching out of their city and possessing themselves of an adjacent hill; but the difference, which Livy takes notice of, consisted in this, that the Ardeates carried their resentment against their nobility so

far as to lay waste their lands with fire and sword; whereas the Roman people, all the time of their two secessions, when they encamped upon the sacred mount, behaved with such moderation towards their nobility, that no patrician's person was insulted, nor his estate ravaged.

party thought they had sufficient strength or arms at home. Therefore the nobility called in the Romans to assist them in relieving the city, and the people applied to the Volsci, to support them in carrying on the siege. The Volsci arrived first under the command of Cluilius one of the Æqui^b, and shut up the city, by a line of circumvallation quite round it's walls. When these accounts were brought to Rome, the consul M. Geganius immediately marched out with an army, pitched his camp within three miles of the enemy, and the day being far spent, ordered his men to refresh themselves. At the fourth watch, he moved forward and begun and carried on his works with such expedition, that at sun rising the Volsci found the Romans had blocked them up, by a stronger fortification than that where-with they had invested the city. The consul had also at another place carried his works^c to the walls of Ardea, to open a communication between his army and the town.

THE general of the Volsci, who till then had victualled his army, not from magazines prepared before hand, but with the corn he got from day to day, in ravaging the lands of the nobility, seeing himself on a sudden blocked up, and thereby deprived of all necessaries, invited the consul to an interview, and told him, that if the Romans came to raise the siege, he was willing to withdraw the Volsci. To this the consul answered, that a conquered army

^b This seems not to be the first time the Æqui supplied the Volsci with generals, for this Cluilius seems to have been of the same family with Gracchus Clælius, who besieged the consul Minucius, and was afterwards delivered up to T. Quinctius Cincinnatus, lib. 3. cap. 28. the names of Cluilius and Clælius being so nearly allied, that it is very probable they were originally the same.

^c The particular works here intended are called brachia or arms, and seem to have been pretty much of the

nature of those which are now nam'd lines of communication. Lucan gives a description of them in the following verses,

—fontesque & pabula campi
Amplexus fossa, densas tollentia pinnas
Cespitibus crudaque extruxit brachia
terra.

They were called brachia or arms, for the same reason that some parts of the sea are thus named, viz. because they were bent in the form of an arm.

CHAP. ought to receive, not prescribe terms, and since the
 x. Volsci had come to besiege the allies of the Romans,
 when they thought proper, they should not depart at their own pleasure. They must give up their general, lay down their arms, own themselves conquered, and submit to his orders, otherwise he would be as much their enemy when they should have raised the siege, as when they carried it on, and he would rather choose to return to Rome crowned with victory, than with the accounts of a treacherous peace. The Volsci being destitute of all hope but the little which they placed in their arms, were willing to put it to a trial : and besides other disadvantages having engaged the enemy in a place improper for a battle, and yet more unfit for a retreat, when they found themselves slaughtered on all sides, instead of fighting had recourse to prayers, and having delivered up their general, and laid down their arms, were made to pass under the yoke, and being loaded with misery and disgrace sent away with a single garment a piece. Afterwards they stopt to refresh themselves near Tusculum, where the inhabitants, incited by an old grudge, fell upon them as they had no arms to defend themselves, and made such havock that scarce any were left to carry home accounts of the disaster. The Roman consul beheaded the principal authors of the insurrection at Ardea, confiscated their goods to their own state, and thereby composed the distracted affairs of that people; who thought that the Romans had, by so great a kindness, sufficiently atoned for the injury they had formerly done them, in adjudging their territory to themselves. The senate however were of opinion that something else was necessary, to efface that monument of the people's avarice. The consul at his return entered the city in triumph. Cluilius the general of the Æqui was led before his chariot, together with the spoils of the enemy, who had been disarm'd and made to pass under the yoke. Quinctius the consul, which was a matter of great difficulty, gained,

gained, by his peaceable administration, a renown equal to the glory which his colleague obtained in arms: because by an impartial distribution of justice to all, from the highest to the lowest, he so maintained peace and unanimity at home, that the fathers thought him severe, and yet the people considered him as a consul of sufficient moderation; and he carried more points against the tribunes by his authority, than by contending with them. Five consulates conducted in the same uniform method, and his whole life spent in a manner suitable to the consular dignity, conciliated to his person an awe and respect, in some sort greater than the highest honors of the state to which he was raised. On this account there was no mention of military tribunes during this consulate.

THE great care and diligence, which had been used in assisting the Ardeates, when exposed to the most imminent danger, had rendered this year remarkable, not only among the neighbouring nations and allies, but also the enemies of the Romans. Therefore the following consuls, M. Fabius Vibulanus and Posthumius Æbutius Cornicen, considering that the renown of the former administration for its conduct in peace and war, was very considerable, thought that they ought to exert themselves with the greater vigour, to banish entirely out of the minds of men the remembrance of the infamous sentence which the people had passed. With this view they prevail'd with the senate to enact, “ that seeing the state of Ardea, was
“ by civil discord reduced to a small number, a colony
“ should be sent into their dominions to protect them
“ against the Volsci. So much of the senate’s resolution was inserted in the publick records, that the tribunes and people might not be aware of the design formed to repeal their sentence, for they had also agreed that a far greater part of the colony should consist of Rutuli than of Romans, that no territory should be divided but what had been taken from its possessors by that infamous sentence, and that no Roman should have
the

M. Fabius
Vibulanus
and Posthu-
mus Æbu-
tius Corni-
cen consuls.
Y. of R. 313.
B. J. C. 440.

CHAP. the least share in it, until all the Rutuli were provided: by this means the territory returned to the Ardeates. The three persons elected to lead the colony to Ardea, were Agrippa Menenius, T. Clœlius Siculus and Marcus Æbutius Elva. But they by their unpopular office, which was that of dividing among the allies, the land which the Romans had adjudged to themselves, offended the people, nor were they very acceptable to the principal senators, because not biassed in favor of any person whatever, and therefore when the tribunes appointed them a day to answer for their conduct before the people, they avoided the prosecution by being united to, and abiding with the colony, who had been witnesses of their justice and integrity.

CHAP. **XII.** THIS year and the next, when C. Furius Pacilus and M. Papirius Crassus were consuls, there was peace both at home and abroad. The games vowed by the decemviri by act of senate, upon occasion of the secession of the people from the fathers, were celebrated this year. Petilius in vain sought occasions of exciting sedition; for having been a second time made tribune of the people, he could not, by denouncing often the same threats, prevail with the consuls to make a motion in the senate, for dividing the lands among the commons; and when after a great bustle he had obliged them to consult the fathers whether they would please to hold the comitia for choosing consuls or military tribunes, they ordered that consuls should be elected: the menaces of the tribune, that he would stop the levies, only exposed himself to ridicule, because when the state was at peace with all its neighbours, there was no occasion for war, nor any preparations for it. This peaceable state of affairs was followed by the year of Proculus Geganius Macerinus and L. Menenius Lanatus's consulship, a year remarkable for many disasters, by means of seditions and famine, and the danger to which liberty was exposed by the people, who intoxicated

C. Furius
Pacilus, and
M. Papirius
Crassus
consuls.
Y. of R. 314.
B. J. C. 439.

Proculus
Geganius
Macerinus
and L. Me-
nenius Lana-
tus consuls.
Y. of R. 315.
B. J. C. 438.

intoxicated by the sweets of bribery very near submit-
 ted their necks to the yoke of regal power. No ca-
 lamity was wanting but that of a foreign war, which
 must have raised their afflictions to such a pitch of
 distress, that the power of all the Gods could scarce
 have saved the state from ruin: These troubles be-
 gan by famine, occasioned either by the badness of the
 season for corn, or the peoples neglecting to cultivate
 their lands, that they might indulge themselves in
 the pleasure of frequenting the city and attending as-
 semblies; for both these causes are assigned, and the
 senators blamed the slothfulness of the people; the
 tribunes of the people, in their turn, complained some-
 times of the fraud, and at other times of the negli-
 gence of the consuls. At last the commons, without
 opposition from the senate, got the ^a oversight of
 provisions committed to L. Minutius, who was like
 to be more happy in securing the liberty of the state,
 than successful in promoting the ends of his office:
 though at last he justly had the glory of lowering the
 price of provisions, and the grateful acknowledg-
 ments of the people upon that account: for after
 having in vain sent many ambassadors both by sea
 and land to the neighbouring nations, without en-
 creasing the quantity of grain, but by a small matter
 which was brought from Hetruria, he apply'd him-
 self to a frugal management of the poor stock which
 his own country afforded, by obliging all persons to
 discover their corn, and sell what they had above a
 month's provision, reducing the daily proportion of
 victuals allow'd to slaves, and accusing the corn mer-
 chants, whom he also exposed to the rage of the
 people. But by all this severe inquisition, he rather
 discovered the great penury of grain which the city

^a At the time of the common-
 wealth this officer was extraordinary,
 and created only upon particular oc-
 casions, when the price of grain rose
 high, and the city labored under
 scarcity of provisions; and thus the
 matter continued till the reign of
 Augustus, who made the *præfectus*

frumenti, or superintendant of provi-
 sions, be constant and ordinary magi-
 strates, because there was frequent
 occasion for distributing corn among
 the people, and therefore of a proper
 person to inspect and regulate these
 distributions.

CHAP. XII. labored under than relieved it; so that many of the people having lost all hopes, chose to wrap up their heads, and throw themselves into the Tiber, rather than be tormented by spinning out their lives in such wretched circumstances.

CHAP. XIII. AT this time Sp. Mælius of the equestrian order, a man of extraordinary wealth, considering the time in which he lived, attempted a thing useful in it's nature but very bad in it's consequences to the state, and yet worse in it's intention. For having, by means of his friends and clients, bought up corn at his own charge in Hetruria, which, I am of opinion, prevented the success of the measures taken by the state to bring down the price of that commodity, he began to distribute it among the people; and wherever he went, by the pomp and splendor in which he appeared, far superior to that of a private man, he attracted the eyes of the commons, whose affections he had gain'd by his munificence, and in their favor and good wishes had a sure prospect of being raised to the consulship. But as it is the nature of the human mind to be unsatisfy'd with the prospects which fortune presents to it, he began to entertain more ambitious and unlawful views: and as he must force himself into the consulate against the will of the senators, he thought of seizing the regal power, as the only prize suited to the deep designs to be formed, and the great opposition to be conquered, before it could be attained. By this time the comitia for electing the consuls was at hand; which was the very thing that ruined him before his schemes were digested, and his project ripe for execution. T. Quintus Capitolinus, a person by no means favorable to his designs of bringing about a revolution in the state, was a sixth time chosen consul, Agrippa Menenius Lanatus assign'd him as his colleague, and L. Minutius was either now made superintendant of provisions a second time, or had at first been elected for no limited space, but as long as there should be occasion

T. Quintus
Capitolinus
and Agrippa
Menenius
Lanatus
consuls.
Y. of R. 316.
B. J. C. 437.

occasion for that office; for there is nothing certain in this case, but only that his name is inserted in the linen registers among the magistrates of this and the preceding year. As Minutius by public authority executed the same office which Mælius had undertaken in a private capacity, and the same sort of men frequented the houses of both, he had a full discovery of the affair made to him, and informed the senate, “ that quantities of arms were brought
 “ to Mælius’s house, secret meetings held there, and
 “ he was certainly forming a conspiracy for seizing
 “ the sovereign power. The time for execution was
 “ not yet fixed, but all other things were agreed upon,
 “ the tribunes of the people were hired to betray
 “ the liberty of the state, and the leading men
 “ among the commons already had their parts assigned them. He had delay’d giving this information till it was almost too late for the public safety, that he might advance nothing which was either false or founded upon uncertain reports.” Upon hearing this the principal senators from all quarters censured the consuls of the former year, “ because they had suffered these largesses to
 “ be made, and meetings to be held in a private
 “ house, and the present consuls for waiting till a
 “ superintendant of provisions should inform the
 “ senate of an affair of such importance, as deserved
 “ not only to be communicated to them, but also to
 “ be punished by a consul.” Quinctius answered,
 “ that the consuls were blamed without reason, because being cramped by the laws made concerning
 “ appeals, which tended to the ruin of their authority, their office did not furnish them with power
 “ equal to the inclination they had to punish that
 “ crime, according to its heinous nature. This required not only a man of resolution, but also
 “ one whose power was unlimited, and freed from
 “ all restraint of laws; for this reason he intended
 “ to make L. Quinctius Cincinnatus dictator, a person whose capacity was equal to that extensive
 “ autho-

CHAP.

XIII.

L. Quinctius
Cincinnatus
dictator, and
C. Servilius
Ahala general
of the
horse.

“ authority.” All approving his design, Quinctius at first excused himself, and began to ask what they meant by exposing one almost spent with age to such a severe conflict. But when the senators on all hands asserted, that there was not only more capacity and conduct, but also more resolution and bravery in that aged mind alone, than in all the rest taken together, and loaded him with deserved praises, and the consul persisted in his former resolution, Cincinnatus at length having address’d himself to the immortal Gods, and pray’d, “ That in matters of such great danger “ and difficulty the commonwealth might suffer no “ detriment or reproach on account of his old age,” was declared dictator by the consul, and immediately thereafter named C. Servilius Ahala for his general of the horse.

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NEXT day, when he had set guards in proper places, he went to the forum, where the strange and extraordinary nature of his office soon drew upon him the eyes of the people ; and while Mælius and his party were considering the power of this great authority as designed against themselves, and those who were not concerned in the plot to set up a regal government, were asking one another, what insurrection or unexpected war had made it necessary to create a dictator, or set Quinctius, after the eightieth year of his age, at the head of the state ? Servilius, general of the horse, sent for the purpose to Mælius, told him, that the dictator called him. Mælius, in great disorder, asked, what he wanted ? The other reply’d, that he must make his defence in answer to an accusation which Minutius had laid against him before the senate. Upon this Mælius had recourse to a company of his own party, and at first looking round him began to retreat ; but at last, when an officer, by the order of the general of the horse, attempted to carry him away, he was rescued by those that stood round him, and fled, imploring the protection of the Roman people, and earnestly intreating, that as he

was



was oppress'd by a conspiracy of the senators on account of his liberality to them, they would now stand by him, when expos'd to the greatest extremity of danger, and not suffer him to be murdered before their eyes. Servilius Ahala coming up with him, as he was pronouncing these words with great vehemence, slew him; and having got a guard of patrician youths about him, he returned to the dictator smear'd with the blood of the knight he had slain; and reported, that he had summoned Mælius to appear before him, but as he had repulsed the officer, and endeavour'd to raise an insurrection among the people, he had inflicted upon him the punishment he deserved. Upon which the dictator said, "bravely done, Servilius, you have saved the state."



AND as the people fluctuated in their judgments concerning this action of Servilius, the dictator ordered them to be called to an assembly, where he declared, "that Mælius was justly slain, though he had not been guilty of aspiring to the sovereign power, because having been summoned by the general of the horse to attend the dictator he had not obey'd; he had seated himself upon his tribunal to take the affair under his own cognizance, and after trial Mælius should have had justice done according to the merits of his cause; but as he employ'd violent measures to screen himself from justice, the same kind of means were used to crush him. Nor ought he to have been treated as a citizen; who, though he was born among a free people governed by equitable laws, had entertain'd hopes of seizing the sovereign power in a city which he knew had expelled kings, and where, in the same year, the nephews of a king by his sister,

* The sons of the first consul Brutus, who were beheaded for their concern in the conspiracy to re-establish the Tarquin family on the Roman throne, were not, strictly speaking, the nephews of a king; for Brutus

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XV.



“ sister, and the sons of a consul who had set his
 “ country at liberty, had been beheaded by their
 “ father’s order, because they had been concerned
 “ in a conspiracy to re-establish the Roman kings;
 “ where Tarquinius Collatinus a consul, merely out
 “ of aversion to his name, had been obliged to de-
 “ mit his office, and submit to banishment; where
 “ Sp Cassius, some years after, was put to death
 “ for designs to seize the government; and where
 “ but lately the decemvirs for tyrannizing over the
 “ people, with the haughtiness of kings, were pu-
 “ nished by confiscation of their estates, banishment
 “ and death; yet this Sp. Mælius had done. And
 “ who pray, is this Sp. Mælius? For though no
 “ noble birth, no honorable employment, nor per-
 “ sonal merit ought to pave the way to absolute
 “ power; yet the Claudii and Cassii, who had been
 “ themselves consuls, and of the number of the decem-
 “ virs, had been tempted by the honorable employ-
 “ ments which they and their ancestors had enjoy’d,
 “ as well as by the lustre of their families, to carry
 “ their ambition to a criminal height: but it could
 “ not be considered as a greater crime, than it was an
 “ amazing instance of folly in Sp. Mælius, that he, who
 “ was but a rich corn merchant, and whose ambition
 “ might prompt him to wish for the office of a tri-
 “ bune of the people, rather than suggest hopes of
 “ attaining it, had flattered himself that his country-
 “ men had sold him their liberty for a few pounds
 “ of corn, and that a people, who had conquered
 “ all their neighbours, could be prevailed on to sub-
 “ mit to slavery by the prospect of a morsel of bread;
 “ as if the Romans could bear to have one for their
 “ king, whom they would scarce have suffered to
 “ be raised to the rank of a senator; or could calmly

Brutus himself was the son of Tar-
 quinia, the daughter of Tarquinius
 Priscus, and sister, or rather aunt of
 Tarquin the Proud, so that his sons
 must have been the great grandchil-
 dren of Tarquinius Priscus, and at

most the grandsons of Tarquin the
 Proud’s sister; but it is not uncom-
 mon, under the appellation of sons,
 to comprehend grandsons and other
 more remote descendants.

“ see



“ see such a person invested with the authority and
 “ adorned with the ensigns of Romulus their founder,
 “ who was descended of the Gods, and at his death
 “ received into their number. This was not to be
 “ accounted more a crime than a monstrous instance
 “ of folly and extravagance ; nor was it enough that
 “ his guilt was expiated by his blood, unless the
 “ house and walls, within which so much madness
 “ and folly had been conceived, should be demolished,
 “ and his goods, polluted by their being employed
 “ to purchase regal power, confiscated. Therefore
 “ he gave orders that the quæstors should sell all
 “ Mælius’s goods, and put the price of them in the
 “ public exchequer.”



THE N he commanded his house to be im-
 mediately demolished, and that the place on which
 it stood might be a monument of the disappointment
 of his criminal hopes, it was called ^a Equimælium.
 L. Minucius was presented with an ^b ox with gilt
 horns without the gate Trigemina ^c. Nor was this
 disagreeable to the people, because he distributed Mæ-
 lius’s corn among them at an ^d as the bushel. I find

^a i. e. The house of Mælius levell-
 ed with the ground, the place so nam-
 ed was situated near the wool shops
 between Velabrum and the capitol.

^b Pliny lib. 18. cap. 3. and lib. 54.
 cap. 5. says, this was a statue which
 was erected to Minucius at the ex-
 pence of the people, as a testimony
 of their gratitude to him for the di-
 stribution he had made of Mælius’s
 corn among them. But Valerius Maxi-
 mus lib. 2. and Ammianus Marcel-
 linus lib. 14. assert, that there was
 no gilt statue ever seen in Italy, be-
 fore that which M. Acilius Glabrio
 erected to his father, was in the
 year of Rome 562, and therefore 244
 after this date. Lipsius and Gro-
 novius are of opinion, that by the
 negligence of transcribers the text of
 Livy has been corrupted in this place,
 and *bove aurato* has crept into it, in-
 stead of *bove & arvo* or *agro*; so that,
 according to them, our author’s true
 meaning is, that Minucius was pre-

sented with an ox and field, lying
 without the porta Trigemina, which,
 considering the great pleasure the Ro-
 mans had in husbandry, is a very plau-
 sible thought: but as this reading is
 not directly countenanced by any ma-
 nuscript or printed copy, we have not
 ventured to depart from the reading
 generally received.

^c Also called the porta Ostiensis,
 because the via Ostia pass’d through it.
 It lay between mount Aventine and
 mount Cælius, and is now called
 Porta di san Paolo.

^d The Roman modius or bushel
 contained sixteen sextaries, and was a
 third part of an amphora, amounting
 to a peck and a half of English measure;
 so that when we are told that Minuci-
 us distributed corn at an as the bushel or
 modius, it is the same as if it had been
 said, he sold it for three farthings one
 tenth each peck and a half, supposing
 Livy to compute money according to
 the value it had in his own time.

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XVI.



in some authors that this Minucius went over from the patricians to the plebeians; was made the eleventh tribune of the people, and quieted the tumult occasioned by the death of Mælius. But it is scarce credible that the fathers would have suffered the number of the tribunes to be augmented, or that a patrician should have given the precedent, and yet the people should not have retain'd a privilege once granted them, or at least endeavour'd it. But the principal confutation of the * false inscription, which was found upon Minucius's statue, is taken from the law made a few years before, whereby it was provided that the tribunes should not be allowed to chuse a colleague. Q. Cecilius, Q. Junius and Sex. Titinius were the only persons of the college of tribunes who had never consented to the law made for conferring honors upon Minucius, nor ceased to accuse sometimes Minucius, at other times Servilius to the people, and to complain of the undeserved death of Mælius. By this means they carried that the comitia for electing military tribunes, rather than that for electing consuls, should be held that year, not doubting but if six, the number of military tribunes which the laws allowed, were chosen, some plebeians, by promising to revenge the death of Mælius, would get themselves elected. The people, though distracted by many and various storms, elected no more than three tribunes with consular power; and among them L. Quinctius, the son of Cincinnatus, whose dictatorship, as it was odious to the people, the tribune endeavoured to make a handle for promoting confusion. Mamercus Æmilius, a man of great worth, had more votes than Quinctius, and L. Julius, was the third.

Second
military
tribuneship
L. Quinctius
Cincinnatus,
Mamercus
Æmilius
and L. Julius
Y. of R. 317.
B. J. C. 436.

* The Roman nobility used to preserve the memory of their ancestors, by carefully keeping their statues or pictures in their house; and, to procure the greater respect to the family, it was not uncommon in the inscriptions upon these statues and pictures, to ascribe to the persons they repre-

sented honors they never deserved, and actions which they never performed; a practice of which our author complains much, lib. 8. and supposes in this place that the notion of Minucius's having been a tribune of the people, had taken it's rise from a fraud of this kind.

DURING

DURING their administration, Fidenæ, a Roman colony, revolted to the Veientes, and Lar^a Tolumnius their king. This revolt was attended by a crime more shocking; for by Tolumnius's order they put to death the Roman ambassadors, C. Fulcinius, Clælius Julius, Sp. Nautius and L. Roscius, who came to demand the reason of this sudden revolution. Some give a more favorable representation of the king's part in this tragedy, pretending that the death of the ambassadors was owing to an equivocal expression he used upon occasion of a lucky throw of the dice, which the Fidenates misunderstood for an order to murder them. But it is quite absurd to imagine the king so intent upon his game, that the coming of the Fidenates, his new allies, to consult him about a murder so contrary to the law of nations, could not divert his thoughts from it, and that afterwards he should not express his detestation of that deed. It is more reasonable to think, that he intended to secure the Fidenates to his interest by the guilt of so heinous a crime, which must effectually cut them off from all hopes of a reconciliation with the Romans. The statues of the ambassadors who were slain at Fidenæ were erected in the rostra, at the public expence. And as there was a prospect of their coming soon to a bloody battle with the Veientes and Fidenates, who not only bordered upon their frontiers, but also had in effect begun the war, by giving such a shocking provocation to attack them; therefore the people and tribunes giving no disturbance, that all ranks might equally exert themselves for the safety of the state, M. Geganius for the third time, and S. Fidenas were chosen consuls without opposition. I am of opinion, that this

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XVII.

M. Geganius and S. Fidenas consuls.
Y. of R. 318.
B. J. C. 437.

^a Lar or Lars is thought to have been an honorary title given in common to the kings of Hetruria, who were elected only once by the suffrages of the twelve nations inhabiting that country, at the temple of Voltum-

na, and enjoy'd that honor during life; whereas the lucumos or dictators of the several nations were only annual magistrates, and return'd to a private station when that period was out. See lib. 1. cap. 8.

CHAP. XVII. last had the surname of Fidenas, from the war which he afterwards carried on : for he was the first who fought against the king of the Veientes on this side the river Anio, and gain'd the battle. But this victory was purchased at a great expence of blood, so that the concern of the Romans for the loss of their countrymen was greater than their joy on account of the defeat of their enemies. And the senate, apprehending the state to be in danger, ordered Mamercus Æmilius to be made dictator. He named for his general of the horse L. Quinctius Cincinnatus, a youth worthy of his great father, and Mamercus's colleague the preceding year, when they both served as military tribunes with consular power. The old centurions, skilled in military affairs, had the command of the recruits newly raised by the consuls, the places of those who were slain in the late battle were supply'd ; and the dictator ordered Quinctius Capitolinus and M. Fabius Vibulanus to attend him in the quality of lieutenant generals. The enemy, considering that they had to do with a person whose authority was unlimited, and his capacity equal to his extensive power, removed out of the Roman dominions, passed the Anio, and retiring still farther, possessed themselves of the mountains which lye between the river and the city of Fidenæ ; nor did they venture down into the plains till the legions of the Falisci came to their assistance. Then the Heturians pitched their camp before the walls of Fidenæ ; and the Roman dictator posted himself at a small distance from them upon the banks of the two rivers near their confluence, drawing lines along the intermediate space, where the nature of the place admitted of fortification. Next day he drew out his army and offered battle, but the enemy differed in their sentiments.

CHAP. XVIII. THE ^a Falisci, impatient of the fatigues of war at a distance from their own country, and confiding

^a Among the twelve states of being the most inconsiderable. The Heturia, the Falisci were far from were descended from a colony of the Argive

in their strength, demanded a battle; but the Veientes and Fidenates placed their greatest hope in spinning out the war. Though Tolumnius rather approved of the sentiments of his own subjects, yet that the Falisci might not be disgusted by tedious expeditions so far home, he gave out that he would lead them to the field next day. The enemy's declining battle gave fresh spirits to the dictator and his Romans; and the day after the soldiers threatening, that if the Veientes would not give them battle, they would storm their camp and city, both armies were drawn out to a plain lying between the two camps. As the king of the Veientes had a very numerous army, he sent a party to fetch a compass round the mountains, and attack the Roman camp while the two armies should be engaged in battle. The army, composed of the three confederate nations, was so drawn up in the line of battle, that the Veientes had the right wing, the Falisci the left, and the Fidenates the centre. The dictator on the right wing of the Roman army advanced against the Falisci,

Argives, who had settled in that country, under the conduct of Halesus, who is generally thought to have been the son of Agamemnon. Their capital city was Falerii or Falerium; though Strabo makes a distinction between Faliscum and Falerium, as if they had been two different cities; wherein he is followed by Solinus, who calls the one Falisca and the other Falerii: but these two are supported, in this, by no other ancient writers, at least Livy and other Roman historians always call the city Falerii, and the inhabitants and territory belonging to them Falisci. Virgil and others gave them the epithet of *Æqui* or *Iusti*, because, says Servius, "the Romans, after they had reduced the power of the decemviri, got from them their *jus feciale* or laws of heralds, and some supplements to the twelve tables of laws, which they had had originally from the Athenians." But it is certain the Romans had their *jus feciale*, long before the time of the

decemvirs, if we will give credit to the testimony of Dionysius lib. 2. who assures us they got it from the *Æqui* or *Æquicoli*, whose country lay on this side of the Tiber, in the reign of Ancus Martius. Nor is it very probable, that a people of Italy, descended from the Argives, would have sought a body of laws from the Athenians. The Falisci had, at different times, two cities named Falerii, distinguished by the epithets of old and new. Old Falerii was a strong place, situated upon an eminence hard by the Tiber, on the same spot where now stands Civita Castellana, and was demolished by Manlius Torquatus. New Falerii was afterwards built on a plain, and if we will believe Holstenius, who, in this particular is not contradicted by Cluverius, it's ruins retain it's ancient name, and are now called Falari: but Antonius Massa, in his book *de origine & rebus Faliscorum*, says, that his native city Galese stands in the same place with the ancient town of Falerii.

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Capitolinus on the left against the Veientes, and the general of the horse with his cavalry in the centre, opposite to the main body of the enemy. For a short space of time the armies stood without motion, and there was silence on both sides, because the Etrurians were determined not to begin the battle till they should be attacked; and the dictator was looking back to the Roman capitol for the signal the augurs had agreed to set up as soon as the birds should give a favorable omen. This signal he no sooner observed than he sent out the horse to attack the enemy, with a great shout: they were supported by the whole body of the infantry, who fought with great fury. In no part could the Etrurian legions stand the shock of the Romans; but their horse made a vigorous resistance, and the king himself, the bravest of them all, riding from place to place, while the Romans closely pursued him every where, still kept the field and maintained the fight.

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XIX.



AT this time there was among the cavalry a^a military tribune named A. Cornelius Cossus, very re-

^a Not with consular power, for there were no such officers this year, but a legionary tribune, who had the command of a cohort, which was a particular division of a legion, and contain'd between five and six hundred men; so that a military tribune had a command much like that of a colonel in our army, or a maître de camp among the French. This office owed its name and original to Romulus's institution, when he chose three officers in chief of that nature out of the three tribes into which he divided his city; the number afterwards encreased to six in every legion. They were at first created by the kings, and afterwards by the consuls for some time, till about the year of Rome 393, when the people assumed this right to themselves; and though in the war with Perseus king of Macedonia, this privilege was regain'd by the consuls, yet we find that in the very same war, it quickly returned to the people. 'Tis probable, that

soon after they divided this power between them, one half of the tribunes being assign'd by the consuls, and the other half elected by the people. The former sort were called Rutuli or Rufuli, from one Rutilius Rufus, who prefer'd a law in their favor, and the other comitiati; because they obtain'd their command by the public votes in the comitia. They decided all controversies in the army, gave the word to the watch, had the care of the works and camp; and several other things which we may afterwards have occasion to mention. They had the privilege of wearing a gold ring in the same manner as the equites; and because their office was extremely coveted, to encourage and promote as many as possible, their command lasted but six months. For the knowledge of both these customs we are beholden to one verse of Juvenal, Sat. 7. ver. 89.

Semestri vatum digitos circumligat aurea
markable

markable for the gracefulness of his person, yet no less distinguished by his courage and strength of body, and zealous for the honor and reputation of his family, which, though exceeding great when it descended to him from his ancestors, he left to his posterity with great improvements. This Cossus observing the Roman troops trembling at the approach of Tolumnius wherever he attacked them, and distinguishing him from the rest by the royal robes in which he fluttered along the whole line of battle, said, “Is this the person who breaks human treaties, and tramples upon the law of nations? I shall soon, if the Gods would have any virtue or sanctity to be on earth, offer him up as a sacrifice to the ghosts of our ambassadors.” This said, he put spurs to his horse, and resting his hostile spear, singled out the king from all the rest for his peculiar adversary, and having by one blow brought him to the ground, immediately by the help of his lance sprung from his horse. As the king was rising he threw him again upon his back with the boss of his buckler, and after several wounds nail’d him to the ground with his spear. Then the conqueror stript the slain, cut off his head, and as he carried it about upon his spear, their king’s death struck terror into the breast of the enemies and put them into disorder; thus the horse, who alone had disputed the victory, were also put to flight. The dictator pursued the flying legions, and drove them back to their camp with great slaughter. Many of the Fidenates being acquainted with the country fled to the mountains. Cossus passed the Tiber with his command of horse, and brought a very large booty out of the dominions of the Veientes to the city. During the battle there was also a skirmish at the Roman camp against the party, which, as we have already observed, Tolumnius had sent thither. Fabius Vibulanus at first defended the lines by planting^b his men round

^b The expression in the original is *serena defendit*, i. e. disposed his men along the whole compass of the lines, and doubled their ranks, as far as his

CHAP. round them ; but afterwards fallying out at the gate
 XIX. on the right side of the principia with the triarii, he
 surprized the enemy as they were eagerly bent upon
 forcing the lines, and by this means put them into
 disorder ; but the slaughter was not so considerable
 as in the battle, because the number was not so great,
 though the rout was no less general and disordered.

CHAP. THUS the Roman army having been every
 XX. where successful, the dictator, by order of the se-
 nate, and the suffrages of the people, returned to
 the city in triumph ; but the sight, which in all this
 triumphal procession gave by far the greatest en-
 tertainment, was Cossus carrying the spoils of the
 king whom he had slain with his own hand. The
 soldiers sung unpolished verses to his honor, wherein
 they equalled him to Romulus. He hung up the
 spoils in the temple of Jupiter Feretrius, near those
 of Romulus, which were the first, and at that time
 the only spoils, that bore the name of opima, pre-
 senting them to that God with a solemn dedicati-
 on. All this time he drew the eyes of the citizens
 from the dictator's chariot, fixed them upon him-
 self, and had almost all the honor of that day's so-
 lemnity. The dictator, by the people's order, pre-
 sented to Jupiter Capitolinus a crown of gold of a
 pound weight, at the publick charge. After the
 example of all the authors, I have said that A. Cor-

numbers would allow it, that in this order the soldiers might appear like a garland or chaplet round the whole camp. It is much more common in classical authors to meet with the expression, *urbem aut castra corona cingere aut oppugnare* signifying an enemy's quite surrounding a place by his army, with design to storm it on all sides at once, than that of *corona defendere*, which Livy makes use of in this place ; but the one sufficiently explains the other.

• The Roman camp was four square, divided into two chief partitions, the upper and the lower ; and between these two was included a spot of ground

about an hundred feet in length, which they called the principia, probably so named from the principes, or legionary soldiers of the second order who encamp'd near it, where the altars and statues of the Gods, and, perhaps, the chief ensigns were fixed altogether. This camp had also four gates, the prætorian gate in the front, the porta decumana or back gate in the rear, the dextra principalis, which is that mentioned in this place, on the right, and læva principalis, on the left. The two latter having both got their names from the principia, which lay directly between them.

nelius Cossus, when a military tribune, brought the second spolia opima into the temple of Jupiter Feretrius. But besides that these only are, in strict propriety, called opima spolia, which one general takes from another, and we acknowledge none to be a general but the person who has the sole conduct of the war; the very inscription of these spoils prove against them and me that Cossus was consul when he took them: therefore when I was informed that Augustus^a Cæsar, who either built or repaired all the Roman temples, had gone into that of Jupiter Feretrius, which he rebuilt after it was fallen to ruin by the injuries of age and time, and read the inscription upon the linen breast-plate of Tolumnius; I thought it next to sacrilege to deprive Cossus of the testimony of his own spoils, and of Cæsar who rebuilt the temple. I leave all my readers to judge for themselves, whether there is a mistake in those ancient annals and those linen books of magistrates deposited in the temple of Moneta, so often quoted by Licinius Macer, which make no mention of Cossus's consulship till nine years after this, when Titus Quinctius Pennus was his colleague: for it also happens that this battle cannot be put off till that year, because for almost three years before and after the consulate of A. Cornelius there was no war on account of a pestilential distemper and dearth of corn: so that some annals as it were observing a kind of mournful silence, mention not any thing in their account of those years but the bare names of the consuls. The third year after his consulship Cossus was made military tribune with consular power, and before the end of it master of horse, in which station he

^a Among others he built the temple of Jupiter Tonans or the Thunderer on the capitol, the temple of Mars Ultor or the Revenger, the temple of Apollo in Palatium, and others under borrowed names, as we learn from Sueton. cap. 29. Servius asserts, that he dedicated the temple of Janus Quadrifrons: he repaired

many which were decay'd, preserving the names of their first founders, that of Jupiter Feretrius in particular; and besides what works of this kind were performed at his own charge, he often advised the great and rich men of his own times, to exert themselves in adorning the city with public works.

fought

CHAP.

XX.



fought another memorable battle at the head of his cavairy; but in this matter every man, as I have said, is left at liberty to judge for himself. Though, in my opinion, we may justly account all the different opinions upon the subject trifling and precarious: since the person who commanded in this battle when the spoils were fresh and repositied in the temple, near Jove himself, to whom they were devoted, and looking at Romulus, two witnesses that were not to be mocked and insulted with a false inscription, calls himself AULUS CORNELIUS COSSUS THE CONSUL.

CHAP.

XXI.



M. Cornelius Maluginensis and L. Papirius Crassus consul.

Y. of R. 319.

B. J. C. 434.

IN the consulship of M. Cornelius Maluginensis and L. Papirius Crassus, the Roman armies marched into the dominions of the Veientes and Falisci, and brought out of them a large booty of their people and cattle; but the enemies could not be found in the fields; nor had they any opportunity of engaging them in battle. Yet they did not lay siege to their towns, because a pestilential disease had broke out among the people; and Sp. Mælius, a tribune of the people, endeavoured to raise disturbances at home, though without success. This Mælius, thinking the popularity of his name would enable him to raise some great commotion, had impeached Minucius, and brought in a bill for confiscating the goods of Servilius Ahala, pretending that Mælius had been overpowered by false accusations, and loading Servilius with the guilt of putting a citizen to death, before he was condemned. These impeachments made not so great impression upon the people as the author of them. But their thoughts were employed on the violence of the distemper, which daily encreased; and terrible appearances and prodigies, especially on the accounts that were brought, that houses in the country were demolished by frequent shocks of earthquakes. Therefore they had recourse to solemn prayers, which the duumviri dictated word by word to the people. Next year, when the consular power was lodged with C. Julius for the second time, and L. Vir-

L. Virginius, the pestilence still raging with greater fury, suggested such apprehensions of desolation both in town and country, instead of sending out parties to plunder, both senators and people dropt all thoughts of making war upon their neighbours; and even the Fidenates, who at first had kept themselves in the mountains, towns, or fortify'd places, made a descent upon the Roman dominions, without any provocation, to ravage their country. Soon after having got the army of the Veientes to join them; for neither the disasters of the Romans, nor the earnest solicitations of their allies, could prevail upon the Falisci to renew the war, these two confederate nations past the Anio, and displayed their colors near the Colline gate. The general consternation which this produced in the country was not greater than that which it occasioned in town. Julius the consul drew up his troops on the walls and rampart of the city. Virginius consulted the senate in the temple of Romulus, where it was resolved that the dictatorial power should be conferred on A. Servilius, who, according to some authors, had the surname of Priscus, and to others, that of Structus. Virginius waited only till he should have an opportunity of consulting his colleague; and having obtain'd his consent, named the dictator, who declared Posthumus Æbutius general of the horse.

CHAP.
XXI.
C. Julius and
L. Virginius
consuls.
Y. of R. 320.
B. J. C. 433.

A. Servilius
dictator,
Posthumus
Æbutius
general of
horse.

THE dictator gave orders that all should present themselves to-morrow by break of day at the Colline gate, which was punctually obey'd by those that were able to bear arms; and the standards were brought him out of the treasury with great dispatch. Mean time the enemies retired to the eminencies. The dictator pursued them with his enraged army; and having given them battle near Nomentum, put the legions of Hetruria to flight, drove them thence to the city of Fidenæ, and blocked them up in it. But as that city stood on a great eminence, and was well fortify'd, it's walls could not be scaled, nor could

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could the blockade be of any service, because they had not only corn enough for supplying the present necessity, but also large stores provided beforehand; therefore having lost all hopes of storming the city, or obliging it to surrender, the dictator resolved to carry a sap into the citadel from places well known, because of their near situation, on the backside of the town, where it was guarded with least care, because most strongly fortify'd by nature. Mean time having divided his army into four parts he attacked the walls in places the most distant from one another; and sending constant supplies of fresh men to relieve those who were wearied, continued to skirmish with the townsmen day and night. By these means he kept the enemy from perceiving the works which he was carrying on, till having digged quite through the mountain, a passage was made all the way from the camp up to the castle, and till the Heturians, diverted from real danger by providing against impotent menaces, had a certain proof that their town was taken from the shouts of the enemy over their heads. This year C. Furius Pacilus and M. Geganius Macerinus being censors, approved of the villa publica^a in the campus martius, and the census was performed in it for the first time.

CHAP.

XXIII.



C. Julius and
L. Virginus
consuls.

Y. of R. 321.

B. J. C. 432.

I find in Licinius Macer that the same consuls were chosen for the next year, viz. C. Julius for the third time, and L. Virginus for the second. Valerius Antius and Q. Tubero say, that Marcus Manlius and Q. Sulpicius were consuls that year. Yet notwith-

^a The villa publica was a palace erected in the campus martius for several public uses, for there the ambassadors from foreign states, who were not allowed to enter the city, were received and entertain'd, the census which for several ages had been taken in the open field; after the building of this fabric, was performed in it. And Varro, in his third book de re rustica, informs us, that among other uses of the villa publica,

it was the place where the Roman cohorts attended the consuls when they were to recruit the army, and had their arms visited by them. Livy takes notice of the censors visiting this villa publica after it was built, because it was one branch of their office to visit all the public buildings as soon as they were finished, and approve or disapprove of them as they found reason, and they could not be put to use till this was done.

standing

standing the great difference between them, both pretend the authority of the linen books: and neither of them refuses, that ancient authors have asserted, that the administration of affairs was in the hands of military tribunes. Licinius chuses to follow these linen records with absolute confidence; Tubero owns himself at a loss how to discover the truth; but among other things which antiquity has involved in darkness and obscurity, this is also a point which must be left undetermined. The taking of Fidenæ spread a general consternation over all Hetruria; for not only the Veientes dreaded the same fate, but also the Falisci, when they recollected that they had joined them in their first war, though they were not concerned in their second attempt against the Romans. Therefore these two states having sent ambassadors to the twelve nations, prevail'd with them to appoint a general meeting of all Hetruria, at the temple of Voltumna^a; and the senate apprehending from this some great impending storm, ordered Mamercus Æmilius to be a second time created dictator. He named A. Posthumius Tubertus general of the horse, and preparations were made for the war, with so much the greater vigor than upon occasion of the former attempt of the Veientes and Fidenates, as all Hetruria was more formidable than two particular nations of it.

Mamercus Æmilius dictator, and A. Posthumius Tubertus general of the horse.

BUT this affair did not raise such disturbance as was generally apprehended from it. Therefore when the merchants brought accounts that the Hetrurians had refused their assistance to the Veientes, and bid them carry on, by their own force, a war

^a The assemblies of all the different nations of Hetruria were held at this place, as the Latine states had their general assemblies at the head of the spring of Ferentinum. The Goddess, to whom this temple was dedicated, is called by some authors Voltumna, by others Vulturna, and by Gyraldus Vertuna, who also as-

serts, that she was particularly worshipped by the Hetrurians: be this as it will, the temple stood in the place where the city of Viterbo is now situate, in the middle between Cære, Veii, Falerii, Volsinii, the principal cities of the southern part of Hetruria; and therefore very convenient for holding such assemblies.

CHAP.

XXV.

Fourth mili-
tary tribune-
ship L. Pi-
narius Ma-
mercinus, L.
Furius Me-
dullinus,
and Sp. Post-
humus
Albus.

Y. of R. 323.
B. J. C. 430.

expedients for appeasing the anger of the Gods, and rescuing the people from the pestilence. But after all, the distemper made great havock both in town and country, not only among the inhabitants, but also among their cattle; so that fearing the losses the farmers had sustain'd would expose them to a famine, they sent to Hetruria, Pontinum, Cumæ, and last of all to Sicily, for corn. There was no motion for holding the consular comitia; but L. Pinarius Mamercinus, L. Furius Medullinus, and Sp. Posthumus Albus, all patricians, were chosen military tribunes with consular power. This year the violence of the pestilence abated, nor were the people in danger of famine, because provision had been already made for them. But the Volsci and Æqui in their councils of state, and the Hetrurians in a general diet held at the temple of Voltumna, were concerting measures for making war upon their neighbours. However they put it off for a year, and made a decree, that no general diet should be held before that time; notwithstanding the complaints of the Veientes, that their city would soon feel the severity of the same misfortune, which had reduced Fidenæ to ruins. Mean time the leading men among the plebeians, who had now for a long time, but with no success, amused themselves with hopes of being raised to places of greater honor, while there was a respite from foreign war, began to hold meetings in the tribunes houses. There they entered into secret consultations, and complain'd, "that they were so much neglected by the people, that, though military tribunes with consular power had been elected for a great many years, yet no plebeian had been ever admitted to that honor. Their ancestors must have been masters of great foresight and penetration, who had expressly provided that no patrician should enjoy an office among the plebeians, otherwise they would before now have been tribunes of the people, so despicable were the commons now become to persons of their own rank, that

“ that they were held in equal contempt by the se-
 “ nators and people.” Others excused the people,
 and threw all the blame upon the patricians, pre-
 tending “ it was owing to their intrigues and fly
 “ practices, that the way to honorable employments
 “ was hedged in from the commons. And if the
 “ people were left to themselves, or had respite from
 “ the solicitations and threats of the patricians, they
 “ would, in giving their voices, remember their
 “ friends of their own rank, and having once given
 “ their assistance, would also raise them to the highest
 “ power.” Upon this it was agreed that to prevent
 intriguing, the tribunes should bring in a bill, that
 for the future no person should be allowed to use arts
 for ^a whitening his robes on account of standing can-
 didate for any office. This may be now thought a
 very inconsiderable bone of contention, and the con-
 tending parties may scarce seem to have been in ear-
 nest ; yet at that time it raised a very warm dispute

^a Those who solicited for any of-
 fice or preferment among the Romans,
 used to go about courting the favor of
 the people, and were clothed in white
 gowns, from whence they had the
 title of candidates. This custom de-
 termined Rhenanus to join two words
 in the text of Livy, in this place,
 into one, and instead of *in vestimen-*
tum, to read *investimentum*, which he
 contends is a genuine Latin word, and
 supposes the meaning of this law to
 be, that no person in suing for an of-
 fice should use a white upper garment,
 or a white gown over their other
 clothes. In this he is followed by
 Hottoman Gifanius and several others.
 But as this seems not to be consistent
 with the Roman method of cloth-
 ing, not to mention other objecti-
 ons, Lipsius, who is, in this, sup-
 ported by Gronovius, divides Rhe-
 nanus's *investimentum* into two words,
 and thinks the meaning of the bill
 proposed by the tribunes, was, that
 no person who should stand candidate
 for an office, should for the future use
 arts to make their gowns appear
 whiter than ordinary, which it seems

was then a common practice. For
 the gowns used by the Romans in ge-
 neral, but especially of those who
 bore offices in the state, were com-
 monly white ; whence, in Juvenal,
 we meet with this expression—*nive-*
asque ad fræna Quirites : but those
 who put up for employments, not sa-
 tisfied with that whiteness, which was
 nothing but the natural color of the
 wool, used arts to make it brighter,
 by chalk, and perhaps other such
 means. Whence we read in Persius
 of “ *cretata ambitio*,” or suing for
 places of honor in the state, all
 smear'd with chalk ; and Polybius
 calls this gown which the candidates
 used, not simply a white, but a shin-
 ing or glittering robe. But whatever
 be in this, it is not easy to imagine,
 what advantage the passing of this
 law could give the plebeians, or how
 it could hurt the patricians, except it
 could be made appear that it was the
 peculiar privilege of the latter to ap-
 pear in these white robes when they
 put up for offices, and that the com-
 mons could not use them upon their
 occasions.

CHAP. between the senators and the people ; but the tri-
 XXV. bunes had the better, and got the law past. And as
 it appear'd that the minds of the people, being now
 fretted, they would be bias'd in favor of their own
 party, that they might not have it in their power to
 prefer them, the senate enacted, that the comitia for
 electing consuls should be held this year.

CHAP. THE excuse for this resolution was the informa-
 XXVI. tion received from the Latines and Hernici, that the
 Volsci and Æqui were in motion. T. Quinctius
 Cincinnatus, the son of Lucius who had the surname
 of Pennus, and C. Julius Mento were made consuls.
 Nor was that dreadful war any longer delayed ; for
 the enemies having mustered their forces, by means
 of a sacred ^a law, which among them was the most
 effectual means of raising an army, each nation led
 a powerful body of men to Algidum, the place of
 rendezvous, where the Volsci and Æqui fortify'd
 two separate encampments ; and their generals be-
 stow'd greater care in securing their lines and train-
 ing their men than they had observed on former oc-
 casions. The accounts of all this made the conster-
 nation at Rome so much the greater. The senate
 were for creating a dictator ; because though these
 nations had been formerly often defeated, they now
 renewed the war with greater vigor than ever ; and
 some considerable part of the Roman youth had been
 cut off by an epidemical distemper. But what a-
 larmed them most was the obstinacy of the two con-
 suls, the misunderstanding that was between them,
 and their thwarting one another in every measure.
 Some write that these consuls lost a battle at Algi-
 dum, and that this was the reason assign'd for chusing

T. Quinctius
 Cinnatus, and C.
 Julius Men-
 to consuls.
 Y. of R. 323.
 B. J. C. 430.

^a As this was a law among the
 Volsci and Æqui, it is not so easy
 to come to the knowledge of it, as
 if it had been a Roman constitution ;
 however some are of opinion that by
 it, those, who upon some particu-

lar exigencies of the state, refused to
 enlist themselves, or serve in the
 war, were devoted to destruction, and
 offered up as sacrifices to the infernal
 Gods.

a dictator. Be this as it will, it is very certain that, however they differed in other things, they agreed in opposing the senate's motion for naming a dictator, till the accounts of the war growing more dreadful, and the consuls continuing in their opposition to the senate, Quintus Servilius Priscus, who had enjoyed the highest honors of the state with great reputation, addressing himself to the tribunes of the people, said, "Now that matters are carried to the extremity, the senate calls upon you, tribunes of the people, that considering the great danger to which the state is exposed, you would exert your power and oblige the consuls to name a dictator." Upon hearing this, the tribunes thinking an opportunity presented them for enlarging their power, retired, and soon after declared in the name of their college, "that it was their pleasure the consuls should obey the senate, and if they continued any longer to oppose the unanimous resolution of that most august order, they would command them to be carried to prison." The consuls chose to submit to the tribunes rather than the senate; exclaiming that the privileges of the supreme authority were betray'd by the fathers, and the consulate subjected to the yoke of the tribunician power; seeing this was acknowledging that a tribune had power to force the consuls to do what he pleased, and even could order them to prison, which was the worst a private man had to fear. T. Quinctius having got the privilege of naming the dictator, by lot, for even this the colleagues could not settle amicably between themselves, chose A. Posthumius Tubertus, an austere imperious man, who was his father-in-law; and this last named L. Julius for general of the horse. Immediately a vacation was proclaim'd, and nothing minded over all the city but preparations for war. An enquiry into the claims of those who pretended^b exemption

A. Posthumius Tubertus dictator,
L. Julius general of the horse.

^b There were many legal excuses which might keep persons from the list; as, in case they were fifty years old, for then they could not be obliged

CHAP. XXVI. exemption from serving in the army was put off till the war should be ended. So that those whose title was doubtful were inclined to let themselves be enroll'd. Troops were also demanded from the Latines and the Hernici; and both nations obey'd the dictator's orders with great activity and diligence.

CHAP. XXVII. THESE things being performed with great expedition, the dictator left C. Julius the consul to defend the city, and L. Julius general of the horse to provide for the sudden exigencies of the war, that the expedition might not be delay'd on account of any thing they should happen to want in the camp; then he vowed, in words dictated to him by A. Cornelius the pontifex maximus, to celebrate magnificent games on account of the present tumult. And having given the command of one half of his army to the consul Quinctius, he marched out of the city, and soon came up with the enemy. As they observed them disposed into two encampments at a small distance from one another, they likewise encamped about a mile from them, the dictator posting himself at a place lying towards Tusculum^a, and the consul at one towards Lanuvium.

ed to serve; or if they enjoy'd any civil or sacred office, which they could not conveniently leave; or if they had already made twenty campaigns, which was the time required for every foot soldier; or if upon account of extraordinary merit, they had been by public authority releas'd from the trouble of serving for such a time; or if they were maim'd in any part, and so ought not to be admitted into the legions; as Suetonius tells us of a father, who cut off the thumbs of his two sons, on purpose to keep them out of the army. And Valerius Maximus lib. 6. c. 3. gives a relation of the like nature. Otherwise they were necessitated to submit; and in case of a refusal, were usually punished either with imprisonment, fine, or stripes, according to the lenity or

severity of the consul. And therefore it seems strange that Machiavel should particularly commend the Roman discipline, upon account of forcing no one to the wars, when we have in all parts of history such large intimations of a contrary practice. Nay we read too of conquistores, or impress masters, who were commissioned upon some occasions to go about and compel men to the service of the state.

^a The words of the original would bear to be translated thus, the dictator posting himself at a place very near Tusculum, and the consul at one hard by Lanuvium; but this would be a gross error in geography, for the enemies were encamped in two separate bodies at Algidum, and the Romans, as we are informed in the text, pitch'd



vium. Thus there were four armies, and as many fortified camps, with a plain lying between them, not only large enough for skirmishes between small parties, but for drawing up the opposite armies in their lines of battle. Nor from the time that they encamp'd in the neighbourhood of one another, did a day pass without some small engagements, the dictator cheerfully allowing his men to compare their strength with that of the enemy, that the issue of these skirmishes might gradually train them to hopes of victory in a general battle. In consequence of this the enemy having lost all hopes of success in the field, attack'd the consul's camp in the night, and put their all to hazard, upon the prospect of a very uncertain event. The sudden shouts they raised, not only alarmed first the consul's guards and then his whole army, but also waked the dictator. In cases of immediate danger, the consul was never at a loss for courage nor good conduct. A party of the troops were ordered to reinforce the guards at the gates, and others to post themselves round the rampart. In the other camp where the dictator commanded, as there was less confusion, so he had the better access to consider what the present exigence required. Therefore having immediately sent a reinforcement to the consul's camp, under the command of his lieutenant general Sp. Posthumius Albus, he himself with a part of his army, fetching a small compass, march'd to a very private place at a distance from the fray, from whence he might have an opportunity to fall on the enemy's rear before they could be aware of his coming. Q. Sulpicius his lieu-

pitch'd also two distinct camps within a mile of them, one commanded by the dictator, which lay towards Tusculum, and the other by the consul towards Lanuvium; so that by the accounts which ancient geographers give us of the situation of these two places with respect to Algidum, the dictator must have been at least

five miles from Tusculum, and the consul about ten from Lanuvium. By not adverting to this, Mr. Guerin, in his late French translation of Livy, hath grossly perverted the sense of his author in this place, where he makes him say that the dictator encamp'd at Tusculum, and the consul at Lanuvium.

CHAP. tenant he left to command in the camp ; and put
 XXVII. M. Fabius, another of his lieutenants, at the head
 of a party of horse, with orders not to stir before
 day light, because such bodies are not easily managed
 in the night time. In a word, he omitted nothing
 which any wise and active commander whatever would
 have thought proper to order or execute upon such
 an occasion. But he gave an extraordinary proof of
 his courage and good conduct, which ought to be
 celebrated with uncommon praises, in sending M.
 Geganius with a detachment of select troops, to at-
 tack one of the enemy's camps, whence he had cer-
 tain information, they had marched in greatest num-
 bers against the consul. Geganius fell upon them as
 their attention was entirely fix'd upon the danger to
 which others were exposed, and their security about
 their own safety so great, that they neglected to set
 proper guards and sentries, and had very near made
 himself master of their camp before they were suf-
 ficiently sensible that they were attacked. Then
 by raising a smoke, according to concert, he gave
 the signal, which the dictator no sooner observed
 than he cry'd out the enemy's camp was taken, and
 ordered the news of it to be spread throughout the
 army.

CHAP. BY this time it was day light, and every thing ex-
 XXVIII. posed to view. Fabius with his horse had made his at-
 tack, and the consul had sallied out of his camp upon
 the enemy, who by this time were quite dispirited.
 The dictator on the other hand had fallen upon
 their second line, and body of reserve, so that
 when they looked about, as the confused clamor
 and noise pierced their ears, they discovered the
 victorious horse and foot of the Roman army post-
 ed quite round them. And as they were thus
 hemm'd in and beset on every side, they must all
 without exception have suffered the just punishment
 of their rebellion, had not Vectius Messius, one of
 th

the Volsci, more renown'd for his great exploits than his family, observing his countrymen^a turning round and staring about them, and much blaming their conduct, address'd them with an audible voice in these words: "Do you intend, said he, to expose yourselves here to the enemy's darts, without making provision for your own defence, or thinking of revenge? To what purpose then have you got arms? Or why did you without provocation begin this war? Shall it be said, you are turbulent in time of peace and cowards in war? Do you think any God will appear for your protection, or snatch you out of this danger? No! you must make your way with your swords; all you who want to see your houses, your parents, your wives or your children, imitate the example which I shall set you, and follow me. Your way is not obstructed by walls or ramparts, but armed men like yourselves, you are equal to your enemies in valor, but have the advantage in point of necessity, which is the last as well as the most effectual armor." Having thus spoke, he applied himself to the execution of his purpose. The Volsci follow-

^a When a body of troops were quite surrounded by their enemies, an expedient they often had recourse to, was that of drawing themselves up in a round or circular form, that they might stand to their defence against those who attacked them on all sides; thus Tempanius and his cavalry defended themselves against the Volsci, chap. 39. of this book; and this method of defence Cæsar speaks of lib. 4. de Bello Gallico. As the words "volventes orbem," which is the expression Livy uses in this place, seem capable of this interpretation, several interpreters, and among others Dujatius, and the author of the late French translation, are of opinion, that the Volsci here were preparing to defend themselves in this manner, when Messius made them the following speech; but this seems to be quite

inconsistent with Messius's words; for upon this supposition, he might perhaps have told them, that they were thinking of an improper method of defence in their present circumstances, but he could not have upbraided them with a design of exposing themselves to the darts of the enemy, without using any means of defence at all; whence it is plain, that by this expression our author can mean nothing else, but that the Volsci, seeing themselves, all of a sudden, surrounded by the Romans, were so shock'd with their then circumstances, that at first they did nothing but move backwards and forwards, or turned round and stared about them, without using any means of safety, as it is natural for men to do, on the first prospect of great and imminent danger.

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XXVIII.

ed him with a fresh shout, briskly attack'd their enemies in the place where Posthumius Albus had posted his troops, and made the conquerors give way, till the dictator came up to the relief of his men when they were retiring, and the whole fury of the battle centered in that single spot. The enemy's fortune entirely depended upon Messius, and there were many wounds and great slaughter on both sides. Now the blood even of the Roman generals flowed as they fought. But Posthumius, whose skull was fractured with a stone, was the only person that retired from his post ; neither the dictator, though he was wounded in the shoulder, Fabius whose thigh was well nigh pin'd to his horse, nor the consul, though he had lost his arm, would quit the battle at such a dangerous juncture.

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XXIX.

IN this attack, Messius with a company of the bravest youth, made their way over the bodies of the slaughtered enemies, and got safe to that camp of the Volsci which was not yet taken. The whole Roman army moved that way. The consul pursued the flying enemy to their lines, and endeavoured by forcing them, to make himself master of the camp. The dictator also assaulted them in another place, nor did they fight here with less fury than they had done in the field of battle. It is also said that the consul threw the colors over the rampart that the soldiers might advance with the greater vigor, and that the first direct attack was made to recover them. By this time the dictator also had made a breach, and begun a battle within the camp. Then the enemy every where began to lay down their arms and surrender themselves, and this camp as well as the other being taken, all the prisoners, senators excepted, were sold for slaves. A part of the spoil which originally belonged to the Latines and Hernici was restored to the first proprietors who knew their own effects, the rest the dictator sold by auction: and
having

having left the consul to command in the camp, he entered the city in triumph, and laid down his office. They tarnish the memory of this glorious dictatorship who say that A. Posthumius caused his son to be beheaded, because the youth, observing an opportunity of fighting to advantage, left his post, and returned victorious. I don't chuse to give credit to it, and yet seeing authors are divided upon this subject, those who are so disposed may believe it. The argument upon which I found my opinion is, that such instances of severity are called by a common proverb the orders of Manlius not of Posthumius, and yet the person, who first gave such a rigid precedent, would have thereby secured to himself this remarkable brand of cruelty. Manlius was also surnamed the imperious, but Posthumius was never distinguished by any mark of inhuman severity. C. Julius the consul, in the absence of his colleague, dedicated the temple of Apollo without casting lots. Quinctius took this very much amiss, and therefore when he had discharged his army and returned to the city, he complained of it to the senate, but had no redress. In this year, so remarkable for grand events, historians also take notice of a circumstance which at that time seemed to have no relation to the Roman affairs, viz. the Carthaginians^a, who in time were to become such im-

^a As long as the Romans and Carthaginians were separated by a large tract of sea, they had no difference, but as soon as both began to transport armies to Sicily, they became irreconcilable enemies to one another; yet not to insist upon this, it is not easy to know what expedition of the Carthaginians to Sicily our author speaks of in this place: for Diodorus tells us, that at the instigation of Xerxes, the Carthaginians endeavoured to make themselves masters of that island, and lost Hamilcar their general, with one hundred and fifty thousand men, at Hymera, on the same day that the battle of Thermopylæ was fought; but this happened during the consulship of Sp. Cassius and

Proculus Virginius, that is in the year of Rome 268, and therefore fifty-five years before this time. Their next expedition was indeed upon occasion of a civil war among the inhabitants of Sicily; but neither agree with the time mentioned by Livy. For the same Diodorus, lib. 13. and Thucydides tell us, that when the Athenians were routed, after they had, in vain, laid siege to Syracuse, the Egestani called in the Carthaginians, who transported an army thither, under the conduct of Annibal, in the twenty-second year of the Peloponnesian war, which coincides with the year of Rome 343, and therefore happened twenty years after this time.

placable enemies to Rome, taking advantage of the divisions which prevailed in Sicily, first sent an army into that island to assist one of the parties.

CHAP.

XXX.

L. Papirius
Crassus and
L. Julius
consuls.

Y. of R. 324.

B. J. C. 429.

IN the city the tribunes of the people cabal'd to have military tribunes with consular power created for the next year, but without success. L. Papirius Crassus, and L. Icilius were elected consuls. The ambassadors of the Æqui having petitioned the senate for a treaty, and upon that consideration given them hopes that they would entirely subject themselves to the Romans, they obtained a suspension of arms for eight years. The disaster, which the Volsci had received upon mount Algidum, divided their state into parties, and produced high words and contentions between those who had been for the war, and those who had advised peace, so that the Romans were now at peace with all their neighbours. The consuls having discovered, by one of the tribunes who betrayed the secret, that their colleagues were preparing a law for fixing the extent of fines^a, which would be exceeding acceptable to the people, they prevented them

^a Several laws were made upon this subject. The first was that of Valerius Poplicola, by which it was enacted that every person who should contemn the consuls authority, in any instance, should be fined in two sheep. The next was that in the consulship of Tarpeius Capitolinus and A. Aternius or Æternius, in the year of Rome 300, which was for this reason called the Aternian or Æternian law, by which, if we will give credit to Dionysius Halycarnass. all magistrates (for in former times the privilege was confined to the consuls) were empower'd to fine those who should contemn their authority; but the extent of the fine was not left to their own discretion, it being expressly provided, that it should not exceed two oxen and thirty sheep. Yet this is contradicted by Festus and Aulus Gellius, who assert, that those who contemned the authority of the magistrates were to pay a fine, not exceed-

ing two sheep, or rather rams, and thirty oxen, and that this regulation was owing to a plenty of cattle and penury of sheep, among the ancient inhabitants of Italy. But because such fines levied by the magistrates in oxen and sheep were very different, according to the different worth of the cattle and sheep which were given by the offenders two years after, that is, during the consulate of T. Menenius Lanatus, and P. Sextius Capitolinus, a law was made by which a certain fixed price was set upon every sheep and ox to be paid for such transgressions, viz. ten asses of a pound each for every sheep, and an hundred for every ox. But what Plutarch ascribes to the Valerian law, and Festus and A. Gellius to the Tarpeian, some authors attribute to this fourth law for rating of fines, made in the consulship of L. Papirius and L. Julius, which is that our author speaks of in this place.

by

by making the first motion for it themselves. The next consuls were L. Sergius Fidenas for the second time, and Hostus Lucretius Tricipitinus. Nothing occurs during their administration that deserves to be mentioned. They were succeeded by A. Cornelius Cossus and T. Quinctius Pennus consul for the second time. The Veientes made inroads into the Roman lands. It was also reported that some of the youth of Fidenæ were concerned in these depredations. L. Sergius, Q. Servilius and Mamercus Æmilius were deputed to take this affair under their cognizance. Some of the persons accused were banished to Ostia, because they could not give a satisfactory account of their absence from Fidenæ on the days when these incursions were made. An additional number of planters were sent to the Roman colony in that city, and the lands of those that had been slain in the wars were assigned them. This year the country was much distressed by an uncommon drought; for not only the rains were restrained, but also the earth drained of its native moisture could scarce supply the large rivers. In other places near the fountains and small rivulets which were quite parched up, the want of water made great havock among the cattle, which in great numbers died for thirst. Others of them were cut off by the murrain. From them the infection began to spread among the people, and first raged among the countrymen and slaves, soon after the city swarmed with sick. Nor were their bodies only seiz'd with the infection, but their minds were also distempered with various superstitions, and these generally of foreign kinds. Some persons who made it their business to enrich themselves, by taking advantage of scrupulous minds, pretended to the gift of prophecy, and by that means introduced into families new rites in offering sacrifices, until the principal men of the state observing in all the streets and chapels, foreign and uncommon expiatory sacrifices for recovering the favor of the Gods, came to be

L. Sergius Fidenas and Hostus Lucretius Tricipitinus consuls.

Y. of R. 325.
B. J. C. 428.

A. Corn. Cossus and T. Quinctius Pennus consuls.

Y. of R. 326.
B. J. C. 427.

CHAP.

XXX.



C. Servilius
Ahala and
L. Papirius
Mugillanus
consuls.

Y. of R. 327.

B. J. C. 426.

be concerned for the reputation of the publick. Upon this the ediles had orders to take care that none but the Roman Gods should be worshipped, and these in no other manner than that established by the custom of the country. The publick resentment against the Veientes was put off till the next year, when C. Servilius Ahala and L. Papirius Mugillanus were consuls. And even then a scruple of conscience prevented their proceeding immediately to declare war, and march armies against them, it being thought necessary that the Feciales should be first sent to demand the effects they had carried off. The Romans had lately fought with the Veientes at Nomentum and Fidenæ. After that they had agreed upon a cessation of arms, but no treaty of peace. Even this truce was expired, and before that time they had renewed the war. Yet the Feciales were sent, but no regard was had to their words, when after swearing according to the custom of their ancestors, they demanded the things belonging to their state. After all it was disputed whether the war should be declared by order of the people, or whether an act of the senate was sufficient. But the tribunes, threatening to obstruct the levies, obliged the consuls to refer the matter to the people. Upon this all the centuries voted for the war. The people also had the better in another dispute, and thereby prevented the election of consuls for the next year.

CHAP.

XXXI.



Fifth military
tribuneship

T. Quinctius
Pennus, C.

Furius, M.
Posthumus

and Cornelius
Cossus.

Y. of R. 328.

B. J. C. 425.

FOUR military tribunes with consular power were elected, viz. T. Quinctius Pennus, who had formerly been consul, C. Furius, M. Posthumus and A. Cornelius Cossus. Of these Cossus had the command of the city. After recruiting the army the other three marched to Veii, and gave a clear proof, how prejudicial it is in war, to have the command of an army lodged in several persons: for as they differed in their sentiments, and every one endeavoured to have his own plan put in execution, they gave the enemy

enemy an opportunity to take them at a disadvantage. CHAP. And while the army were at a loss for want of distinct XXXI. orders, some of their generals commanding the signal of battle to be given, and others a retreat to be founded, the Veientes very seasonably for their purpose fell upon them; and having put them into disorder, obliged them to fly for sanctuary to their camp which was hard by. By this means their disgrace was more considerable than the loss they sustained. However the state, as it was unacquainted with such disasters, and in great affliction, expressed its aversion to the government of military tribunes, demanded a dictator, and seemed to put their whole confidence in that officer. But as they were for some time diverted from this by a superstitious fear, that a dictator could not be auspiciously nominated but by a consul, they consulted the augurs, who removed that scruple. A. Cornelius named Mamercus Æmilius dictator, who in his turn named him general of the horse. So that as soon as the circumstances of the state required a man of true merit to be placed at the helm, the punishment inflicted by the censors could have no influence to prevent their choosing a supreme magistrate out of a family which had been unjustly disgraced. The Veientes elated by their success sent ambassadors to all the nations of Hetruria; and though they could not, by boasting that they had routed three Roman generals in one battle, prevail with any of these states openly to espouse their cause, yet the hopes of plunder brought them volunteers from all parts. The Fidenates were the only people that chose to renew the hostilities; and as if they had thought it unlawful to commence a war without some heinous crime, as they had formerly put to death the Roman ambassadors, so having upon this occasion first polluted their arms with the massacre of their colony at Fidenæ, they joined the Veientes. Upon this the principal men of the two nations consulted together whether they should make Veii or Fidenæ

Mamercus
Æmilius
dictator.

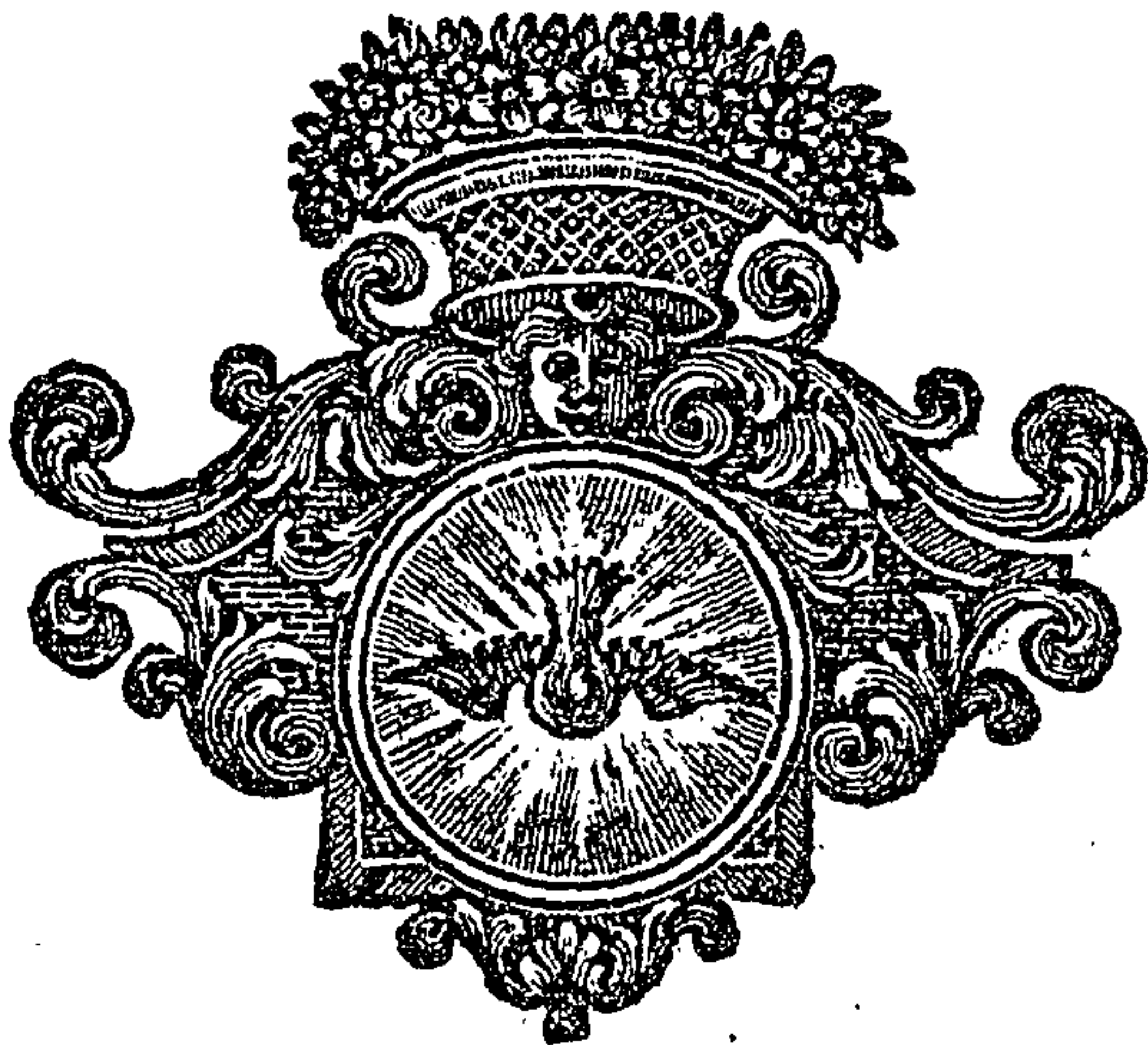
CHAP. the seat of the war; and having agreed that Fidenæ
 XXXI. was the most proper scene, the Veientes passed the
 Tiber, and transported the war to that place. This
 raised a great consternation at Rome, therefore hav-
 ing recalled from Veii their army which was much
 dejected on account of the late miscarriage, they
 pitched a camp before the Colline gate, posted armed
 men round their walls, proclaim'd a vacation in the
 forum, and shut up the shops, so that in every re-
 spect it resembled a camp more than a city.

CHAP. THEN the dictator sending public criers through
 XXXII. all the streets, summoned the people while they were
 in this fright to assembly, and reprov'd them “ for
 “ suffering their minds to be so much alarmed at the
 “ most inconsiderable frowns of fortune, that they
 “ should, upon receiving a small loss, which after
 “ all was not owing to the bravery of the enemy, nor
 “ the ill behaviour of the Roman army, but a diffe-
 “ rence which prevail'd among their commanders,
 “ be afraid of the Veientes, an enemy they had six
 “ times conquered, or the city of Fidenæ, which
 “ they had almost taken oftner than they had laid
 “ siege to it. The Romans and their enemies were
 “ the same they had been for so many ages, with
 “ the same measure of courage and strength of body,
 “ as well as the same arms they had before. He
 “ was also the same Mamercus Æmilius, who in
 “ the same character of dictator, had routed the
 “ united armies of the Veientes, Fidenates and Fa-
 “ lisci at the battle of Nomentum. And A. Cor-
 “ nelius, who in the character of military tribune,
 “ had in the former war slain Lars Tolumnius king
 “ of the Veientes, in the fight of both armies, and
 “ brought the opima spolia into the temple of Jupi-
 “ ter Feretrius, would now, in the station of gene-
 “ ral of the horse, exert the same bravery in battle,
 “ which he had discovered on that occasion. They
 “ ought therefore in taking their arms to remember,
 “ that

“ that triumphs, spoils and victory were on their
“ side, whilst the enemy had nothing on theirs but
“ the heinous crimes of murdering ambassadors con-
“ trary to the law of nations, the massacre of the
“ Roman colony at Fidenæ, in a time of profound
“ peace, the breach of treaties, and seven unsuc-
“ cessful rebellions. When both armies should once
“ take the field, he was very confident, the joy of
“ their most impious enemies on account of the dis-
“ grace which had befallen the Roman army would
“ be but short, and the people of Rome would be
“ fully satisfied, how much better they had deserv-
“ ed of the state, who had created him dictator a
“ third time, than they who because he put an end
“ to the kingdom of the censors, had cast a slur
“ upon his second dictatorship.” Having pronoun-
ced this speech, and made proper vows, he marched
with his army, and posted himself on this side of
Fidenæ, having his camp flanked on the right by
the mountains and on the left by the Tiber. He
ordered T. Quinctius Pennus, his lieutenant general,
to take possession of the mountains, and posted him-
self upon that ridge which lay conceal’d behind the
rear of the enemy’s army. Next day when the He-
trurians, elated with their success in the former en-
gagement, which was more owing to the favorable
opportunity than their own behaviour in battle, drew
out their army, he waited a little till the spies
brought him notice that Quinctius had possess’d
himself of an eminence near the castle of Fidenæ,
and then having set up his standard and drawn
up his infantry, led them up at full speed to attack
the enemy. Mean time he commanded the general
of the horse not to engage without orders, because
he would give him a signal when he should have oc-
casion for the assistance of his cavalry, and then he
hop’d the remembrance of his combat with king
Tolumnius, the rich oblation he had offered upon
that occasion, and the thoughts of Romulus and Ju-
piter

CHAP. piter Feretrius, would inspire him with resolution.
xxxii. The legions on both sides fought with great fury.
~~~~~ All the while the Romans, as they were animat-  
ed with the keenest resentment, insulted their ene-  
mies with the opprobrious names of impious Fide-  
nates and pilfering Veientes, upbraided them with  
the breach of treaties, the bloody murder of their  
ambassadors, the inhuman massacre of their colony,  
their treachery in friendship and cowardice in open  
war, and thus gave full vent to their indignation by  
words as well as deeds.

End of the FIRST VOLUME.





A CHRONOLOGICAL TABLE to the First Volume of  
the ROMAN HISTORY by TIT. LIVIUS of *Padua*.

| Year<br>bef.<br>Rom      |                                                                                                                           | Page           | Year<br>of R. J. C. | Ref.                     | Consuls                               | Con-<br>sulat.                          | Page           |       |
|--------------------------|---------------------------------------------------------------------------------------------------------------------------|----------------|---------------------|--------------------------|---------------------------------------|-----------------------------------------|----------------|-------|
| 430                      |                                                                                                                           | 5              | 252                 | 500                      | Opiter Virginus;<br>Sp. Cassius.      | 8                                       | ibid.          |       |
| 429                      |                                                                                                                           | 6              | 253                 | 499                      | Postumus Cominius,<br>T. Lartius.     | 9                                       | 141            |       |
| 425                      |                                                                                                                           | 7              | 254                 | 498                      | Servius Sulpicius;<br>Manius Tullius. | 10                                      | 144            |       |
| 422                      |                                                                                                                           | 9              | 255                 | 497                      | T. Æbutius,<br>C. Vetufius.           | 11                                      | ibid.          |       |
| 396                      |                                                                                                                           | ibid.          | 256                 | 496                      | Q. Clælius;<br>T. Lartius.            | 12                                      | 147            |       |
| 13                       |                                                                                                                           | 11             | 257                 | 495                      | A. Sempronius;<br>M. Minutius.        | 13                                      | ibid.          |       |
| x                        |                                                                                                                           | 13             | 258                 | 494                      | A. Postumius;<br>T. Virginus.         | 14                                      | ibid.          |       |
| Year Bef.<br>of R. J. C. | Names of the Kings.                                                                                                       | Y. of<br>Rei.  | Page                | Year Bef.<br>of R. J. C. | Ref.                                  | Consuls                                 | Con-<br>sulat. | Page  |
| 1                        | 751 Romulus                                                                                                               | 38             | 14                  | 259                      | 493                                   | Ap. Claudius,<br>P. Servilius.          | 15             | ibid. |
| 38                       | 713 An interregnum                                                                                                        | 1              | 32                  | 260                      | 492                                   | A. Virginus,<br>T. Vetufius.            | 16             | 155   |
| 39                       | 712 Numa Pompilius                                                                                                        | 43             | ibid.               | 261                      | 491                                   | Sp. Cassius,<br>Postumus Cominius.      | 17             | 168   |
| 82                       | 670 Tullus Hostilius                                                                                                      | 32             | 42                  | 262                      | 490                                   | T. Geganius,<br>P. Minucius.            | 18             | 169   |
| 114                      | 638 Ancus Marcius                                                                                                         | 24             | 61                  | 263                      | 489                                   | M. Minucius;<br>A. Sempronius.          | 19             | 170   |
| 138                      | 614 Tarquinius Priscus                                                                                                    | 38             | 68                  | 264                      | 488                                   | Q. Sulp. Camerinus,<br>Lartius Flavius. | 20             | omit. |
| 176                      | 576 Servius Tullius                                                                                                       | 44             | 77                  | 265                      | 487                                   | C. Julius Iulus,<br>L. Pinarius Rufus.  | 21             | omit. |
| 220                      | 532 Tarquinius Superbus                                                                                                   | 25             | 90                  | 266                      | 486                                   | Sp. Nautius;<br>S. Furius.              | 22             | 178   |
|                          | End of the regal go-<br>vernment which<br>subsisted.                                                                      | 245            |                     | 267                      | 485                                   | T. Sicinius;<br>C. Aquilius.            | 23             | 181   |
| Year Bef.<br>of R. J. C. | Consuls.                                                                                                                  | Con-<br>sulat. | Page                | 268                      | 484                                   | Sp. Cassius,<br>Proculus Virginus.      | 24             | ibid. |
| 245                      | 507 L. Junius Brutus,<br>L. Tarquinius Col-<br>latinus.                                                                   | 1              | 113                 | 269                      | 483                                   | Ser. Cornelius,<br>Q. Fabius.           | 25             | 183   |
|                          | The latter obliged to<br>abdicate and is<br>succeeded by P.<br>Valerius Poplicola                                         |                |                     | 270                      | 482                                   | L. Æmilius;<br>Cæso Fabius.             | 26             | ibid. |
|                          | The former killed<br>and succeeded by<br>S. Lucr. Tricipiti-<br>nus, who dies and<br>is succeeded by<br>M. Hor. Pulvillus |                |                     | 271                      | 481                                   | M. Fabius,<br>L. Valerius.              | 27             | 184   |
| 246                      | 506 P. Valer. Poplicola,<br>T. Lucretius.                                                                                 | 2              | 127                 | 272                      | 480                                   | Q. Fabius,<br>C. Julius.                | 28             | 185   |
| 247                      | 505 P. Valer. Poplicola,<br>P. Lucretius.                                                                                 | 3              | 137                 | 273                      | 479                                   | Cæso Fabius,<br>Sp. Furius.             | 29             | ibid. |
| 248                      | 504 Sp. Lartius,<br>T. Herminius.                                                                                         | 4              | omit.               | 274                      | 478                                   | M. Fabius,<br>Cn. Manlius.              | 30             | 186   |
| 249                      | 503 M. Valerius,<br>P. Posthumius.                                                                                        | 5              | 138                 | 275                      | 477                                   | Cæso Fabius,<br>T. Virginus.            | 31             | 187   |
| 250                      | 502 P. Val. Poplicola,<br>T. Lucretius.                                                                                   | 6              | 139                 | 276                      | 476                                   | L. Æmilius,<br>C. Servilius.            | 32             | 189   |
| 251                      | 501 Agrippa Menenius,<br>P. Posthumius.                                                                                   | 7              | 140                 | 277                      | 475                                   | C. Horatius,<br>T. Menenius.            | 33             | 200   |



## A Chronological Table.

[illegible]



## A Chronological Table.

| Year | Bef. of R. J. C. | Consuls.                                                 | Con-<br>sulat. | Page  | Year | Bef. of R. J. C. | Military<br>with<br>Power.                                                | Tribunes Mil.<br>consular trib. | Page  |
|------|------------------|----------------------------------------------------------|----------------|-------|------|------------------|---------------------------------------------------------------------------|---------------------------------|-------|
| 312  | 440              | M. Geg. Macerinus,<br>T. Q. Capitolinus.                 | 65             | 355   | 322  | 430              | M. Fab. Vibulanus,<br>M. Fossius,<br>L. Sergius Fidenas.                  | 3                               | 383   |
| 313  | 439              | M. Fab. Vibulanus,<br>P. Æbut. Cornicen.                 | 66             | 361   | 323  | 429              | L. Pinarius Mamercinus,<br>L. Furius Medullinus,<br>Sp. Postumius Albus.  | 4                               | 384   |
| 314  | 438              | C. Furius Pacilus,<br>M. Pap. Crassus.                   | 67             | 362   |      |                  |                                                                           |                                 |       |
| 315  | 437              | Proculus Geganius<br>Macerinus,<br>L. Menen. Lanatus.    | 68             | ibid. |      |                  |                                                                           |                                 |       |
| 316  | 436              | T. Q. Capitolinus,<br>A. Menen. Lanatus.                 | 69             | 364   |      |                  |                                                                           |                                 |       |
|      |                  | Military Tribunes, Mil.<br>with consular trib.<br>Power. |                |       |      |                  |                                                                           |                                 |       |
| 317  | 435              | Mamercus Æmilius,<br>L. Quinctius,<br>L. Julius.         | 2              | 370   | 324  | 428              | T. Quinctius Cincinnatus,<br>C. Julius Mento,                             | 74                              | 386   |
|      |                  | Consuls.                                                 | Con-<br>sulat. |       | 325  | 427              | L. Papirius Crassus,<br>L. Julius.                                        | 75                              | 394   |
| 318  | 434              | M. Geg. Macerinus,<br>L. Sergius Fidenas.                | 70             | 371   | 326  | 426              | L. Sergius Fidenas,<br>Hostus Lucretus Tri-<br>cipitinus.                 | 76                              | 395   |
| 319  | 433              | M. Cornelius Maluginensis,<br>L. Pap. Crassus.           | 71             | 378   | 327  | 425              | A. Cornelius Cossus,<br>T. Quinct. Pennus.                                | 77                              | ibid. |
| 320  | 432              | C. Julius,<br>L. Virginus.                               | 72             | 379   | 328  | 424              | C. Servilius Ahala,<br>L. Papirius Mugillanus.                            | 78                              | 396   |
| 321  | 431              | The same Consuls<br>re-elected.                          | 73             | 380   |      |                  |                                                                           |                                 |       |
|      |                  |                                                          |                |       |      |                  | Military Tribunes Mil.<br>with consular trib.<br>Power.                   |                                 |       |
|      |                  |                                                          |                |       | 329  | 423              | T. Quinct. Pennus,<br>C. Furius,<br>M. Postumius,<br>A. Cornelius Cossus. | 5                               | ibid. |





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# I N D E X

## TO VOL. I.

N.B. *The figures denote the number of the pages, and the letters of the notes, referred to.*

### A.

**A** *Borigines*, the various derivations of the word, Page 6 Note *k*. make a league with the Trojans, 7. attacked by Turnus, and lose their king Latinus, *ibid.* united with the Trojans under a common name, 8. See *Æneas* and *Trojans*.

*Accensi*, who were comprehended under that name, 80. *n*.

*Accius*, Navius, cuts asunder a whetstone with a razor, 70. a statue erected for him and conjecture about his stature, *ibid.* *a*. See *augurs* and *augury*.

*Actium*, battle of, the temple of Janus shut after it, 36.

*Adriatic sea*, 5. its modern name, *ibid.* *c*.

*Æbutius*, Titus, elected consul and declared general of horse, 144. his en-

counter with a Lantine general, *ibid.*

*Æbutius* Lucius, chosen consul, 229. dies of the plague, 230.

—— *Posthumius Cornicen*, elected consul, 362.

—— *Marcus Elva*, one of the three commissioners appointed to lead a colony to Ardea, 361.

—— *Posthumius* declared general of horse, 379.

*Æcetra*. See *Ecetrans*.

*Ædiles*, the nature of their office and the time of its institution, 311. *b*. the head of him who injured them devoted to destruction, 310. appointed keepers of the decrees of the senate, 311. commanded to engrave and hang up in the forum the xii tables of Roman laws, 315. are ordered to take care what gods should be worshipped, 396.

*Ædiles*



# I N D E X.

*Ædiles Cereales*, their office and creation, 311. *b.*

——— *Curule*, reason of the appellation, 311. *b.* their office, *ibid.*

*Ægeria*, see *Numa Pompilius*.

*Æmilius L.* in his first consulate obtains a complete victory over the Volsci, 183. in his second, routs and forces the Veientes to sue for peace, 198. chosen consul a third time, 193.

——— *Mamercus*, military tribune with consular power, 370. made dictator, 372. triumphs over the Veientes, 376. appointed dictator a second time, 381. reduces the privileges of the censor's office, 382. degraded from his tribe by the censors, 383. notwithstanding he is soon after nominated dictator, 397. a remarkable speech of his, when Rome was alarmed at some disasters in war, 398, & seq. See *Censor* and *Censorship*.

——— *Tiberius*, elected consul, 213. his exploits against the Sabines, 215. in his second consulate supports the Agrarian law, 221.

*neas*, son of Anchises and Venus, the reasons of his getting quarter from the Greeks, 5. comes into Macedonia, Sicily and Italy, *ibid.* & seq. a league concluded between him and Latinus, who gives him his daughter in mar-

riage, 7. builds Lavinium, *ibid.* defeats Turnus and Mezentius, 7, 8. unites the Trojans and Aborigines under one name, 8. his death, place of interment and name whereby he was called when deified, 9.

*Æqui*, situation of their country, and the names given them by different authors, 162. *a.* make incursions upon the Latine territories, *ibid.* defeated by the consul Verusius, 164. a quarrel and smart engagement between them and the Volsci, 180. besiege Ortona, 185. harass the Latines, 195, 203. pillage the Roman dominions, 210. defeated by the consul Quinctius, 213. break the peace granted them by Fabius, 222. insult his messengers and reproach the Roman army, 223. make an irruption into the Roman lands, 224. fall into an ambuscade, *ibid.* invest the consul Sp. Furius in his camp, and are defeated by the proconsul Quinctius, 226. & seq. in conjunction with the Volsci, pillage the lands of the Romans and Hernici, 229, 230. carry the war to Tusculum, and defeat the Roman allies in the valley of Alba, 231. defeated, 233. renew hostilities, 237, 256. defeated in two signal battles by

D d 3                      Q. Fa.



# I N D E X.

**Q. Fabius**, and made to pass under the yoke, 257, 258. surprize Corbio and take Ortona, and are routed by the consul Horatius, 267, 268. rebel again and are defeated by the consul Valerius, 318, & seq. meet the same fate from Quinctius, 335. and from the dictator Tubertus, 386—392. obtain a truce for eight years, 394.

*Æquicolæ*, the situation of their country, 62, *b.* the form used in demanding reparation of damages copied from them, 62.

*Æternius*, a tribune, 235.

*Agrarian* laws, the first time they were brought upon the carpet, 181. occasion great disturbances, *ibid.* & seq. 221, 244, 247, 251, & seq. See *Cassius Sp.*

*Agones*, who. See *Sacrifice*.

*Agrippa*, son of Tiberinus, 10.

*Ahala*, C. See *Servilius C. Ahala*.

*Alba Sylvius*, son of Latinus Sylvius and 5th king of Alba, 10.

——Valley of, the Roman allies defeated there, 231.

——Mount. See *Alba Longa*.

*Alba Longa*, by whom built and peopled, 9. whence so called, *ibid.* *a.* it's situation and modern name, *ibid.* the order and succession of it's kings, viz. 1. Ascanius, 2. Sylvius, 3. Æneas Sylvius, 4. Latinus Sylvius, 5. Alba Sylvius,

6. Atys Sylvius, 7. Capys Sylvius, 8. Capetus Sylvius, 9. Tiberinus Sylvius, 10. Agrippa Sylvius, 11. Romulus Sylvius, 12. Aventinus, 13. Procas the father of Numitor and Amulius, 9, 10, 14. the order of vestal virgins took it's rise thence, 39. the exact duration of that city, *ibid.* prodigy there, 59. See *Albans*.

*Albans*, ravage the Roman dominions, 42. a league made between the two nations, 46. the terms and condition of this league, *ibid.* & seq. the combat and defeat of their champions, 47, 49. become subject to the Romans, *ibid.* the treachery and punishment of their general, 52, 56. are transplanted to Rome, 56, 57: add greatly to the strength of Rome, whereof they were made citizens, 57, 58. required to perform their religious worship, according to their own country rites, 59.

*Albinus*, L. one of the two first tribunes of the people, 168.

*Albula*, the course and modern name of this noted river, 10, *b.* made the boundary between the Latines and Hetrurians, 10.

*Algidum*, situation and distance of that city from Rome, 223. *a.*

*Alienus*, L. Ædile of the people,



# I N D E X.

- people prosecutes Veturius, 269.
- Alps*, the extent of these mountains, 5. *e*.
- Altar*, that of Jupiter Elicius, dedicated by Numa Pompilius, 41.
- Ameriola*, taken from the Latines, 72.
- Amulius* expells his brother, whose sons he kills, and makes his daughter a vestal, 10. his death, 13. See *Numitor*, *Rhea Sylvia*, *Remus*, &c.
- Ancilia*, a description of these shields, 40. *g*.
- Ancus Marcius*, chosen king, 61. his first care, *ibid*. real temper of this prince, 62. establishes military regulations, *ibid*. takes Politorium, and transplants it's citizens to Rome, 64. defeats the Latines, and incorporates them with the Romans, *ibid*. adds the hill Janiculus, builds a bridge over the Tyber, a publick prison and the city Ostia, 65. digs the Fossa Quiritium, and enlarges the temple of Jupiter Feretrius, *ibid*. puts great confidence in Tarquinius Priscus, 67. his character, *ibid*.
- Anio*, the course and modern name of this river, 52. *a*. the Sabines defeated on the banks of it, 71. as were the Veientes by S. Fidenas, 372.
- Annals* quoted, 204, 233.
- Antemna*, it's situation, 20. *b*.
- Antemnates*, come to see the new city of Rome, 20. resent the rape of their women, 22. defeated by the Romans, 23.
- Antenor*, why he receives quarter from the Greeks, 5. expelled Paphlagonia, comes into Italy, *ibid*.
- Antias Valerius*, his minute computation of the Romans and Hernici slain in the 288th year of Rome, 228.
- Antiates*, their troops dismissed with marks of disgrace, 229.
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- Ara* Maxima, dedicated by Evander to Hercules, 16. where it stood, and the use made of it, *ibid. e*.
- Arcadia*, the situation of this country, and whence so called, 12. *b*.
- Arcadians*, devout worshippers of the god Pan. See *Pan*.
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*Athens*, deputies from *Rome* sent thither to copy the laws of *Solon*, 270. See *Law and Solon*.

*Atilius*, *L.* first military tribune with consular power, 353.

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*Atta Clausus*, his removal to *Rome*, 139. founds a tribe at *Rome*, *ibid.* See *Claudius Appius* and *Claudian tribe*.

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*Cæditius*, L. tribune of the people, arraigns the consul Servilius, 201. & seq.

*Cænina*, it's situation uncertain, 20. *c.*

*Cæninenfes*, go to Rome to see the shows, 20. why make war on the Romans, 22. defeated by Romulus, *ibid.* lose their king, *ibid.*

*Cære*, description and modern name of this city, 7. *c.* traditions concerning it, *ibid.* See *Cærite cera*, *Cærites Tabulæ*, and *Ceremonies*.

*Cæritæ cera*, meaning of that expression, 7. *c.*

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*Cæso* Duilius, created decemvir, 280.

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*Canuleius*, tribune of the people, proposes inter-marriages of patricians and plebeians, 340. his speech in opposition to the consuls, 344. & seq.

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- Capys* Sylvius, the seventh king of Rome, 10.
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*Circæum*, where it stood, 102. c. it's modern name, 177. a.

*Circe*, goddess. See *Mamilius Tusculanus*.

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*Curia*, people of Rome divided into thirty *Curia*, 27. See *b*. *ibid*.

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*Furius* C. Pacilus consul, 362. censor, 380. military tribune, 396.

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*Genucius* M. consul, 340.

———T. tribune, author of the Agrarian law, 201. found dead in his house, 205.

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*Gradivus* Mars. See *Mars Grad*.



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*Hercules* comes into Italy, 15. See *Cacus, Evander, Potitii.*  
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*Julian* family, from Iulus, 9.

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*Julius*, C. consul, 185. decemvir, 271. prosecutes P. Sestius on a dead body's being dug up in his house, 272. deputy of the senate to the people, 303. consul, 326. consul, 380.

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———L. military tribune, 370. general of the horse, 387. consul, 394.

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*Labici*, taken by Coriolanus, 177.

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*Lupercal*, *Lupercalia*, feasts celebrated in honor of

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*Lustral* sacrifice. See *Sacrifice*.  
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**M** *Acedonia*, Æneas comes there first, 5. a geographical description of it, 5. *ibid. g.*  
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- Merchants*, a company to be established, 157. why called *Mercuriales*, *ibid. a*.
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*Minucius L.* consul, 260. besieged in his camp by the Sabines, 262. degraded for cowardice to a lieutenant-general by the dictator, 266. created decemvir, 280. superintendant of provisions, 363. first discovers Mælius's treason, 365. why he got an ox with gilded horns in a present, 369.

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*Mons sacer*, why so called, 165. *b.* the people make a secession to it, 166.

*Months*. See *Year*.

*Months*, twelve allotted to the year by Numa Pompilius, 37. ten by Romulus, *ibid.* *c.*

*Mourning*, the number of months allotted to a year of mourning, 124. *b.*

*Mucius C. Scævola*, a young noble Roman goes into Porfena's camp in order to kill him, 132. kills the secretary by mistake for the king, 133. seized, *ibid.* his speech to the king, *ibid.* thrusts his hand into the fire without the least sign of sensibility, 134: dismissed, *ibid.* why called Scævola, *ibid.* lands given him on the other side of the Tiber, called Mucian meadows, 135.

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*Murcia*, goddess of sloth, 64. See *c. ibid.*

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*Ortona*, a Latine city, besieged by the Æqui, 185.  
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*Pedum*, the name of a town, 177.

*Peloponnesus*, derivation of, 16. it's modern name, *ibid.* *a.*

*Pennus*, T. Quinct. See *T.*

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*People*, determined to have a king, 33.

*Pestilence*, a dreadful one at Rome, 229. the citizens so reduced that the senators mounted guard, and the *Ædiles* went the rounds, 230. See 231, 232, 270, 378, 384.

*Petilius Q.* decemvir, 280. colleague to Fabius, 291.

*Pictor* Fab. See *Fabius Pict.*

*Pila* Horatia, the place where the spoils of the *Curiatii* were fixed, 51.

*Pileus* what, 121. *d.*

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*Pinarius* L. consul, 207.

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*Politorium*, taken by Ancus Marcius, 64.

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*Pometia*, a Roman colony revolts to the *Aurunci*, 140. besieged and taken, *ibid.* and 141. the people sold for slaves, *ibid.* it's spoils laid out on building the temple of Jupiter, 101.

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*Ramnenses*, the three centuries of knights enrolled, so called from Romulus, as they were called Tatienſes from Tatius, 27, 28. See *c.* 27. they were also called Luceres, 28.

*Records*, linen records, quoted by L. Macer. 377. See *c.* 355.

*Regillus*, lake of, Tarquin and his allies defeated there by the dictator Posthumius, 144. & seq. See *a.* 144.

*Religion*, the Romans instructed in religious rites by Numa Pompilius, 36. & seq.

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*Rex Sacrorum*, his election, consecration, and privileges, *a. ibid.*

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*Rome*, so called from Romulus the founder, 15. rises on the ruin of Alba, 57. surrounded with a stone wall, 73. enlarged by Servius Tullius, who fortifies it with a moat and a rampart, 82. besieged by Porfena, 130, 131.

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*Rostra*, statues erected there for the ambassadors killed



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*Rutuli*, what part of Italy they inhabited, 7. *a*. See *Turnus* their king.

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**S** *Abine* virgins, rape of. See *Romulus*.

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*Trebonius*, L. tribune of the people, 325. behaves with such asperity to the fathers during his tribuneship, that he got the name of *Asper*, 326. the law he proposed, *ibid.*

*Treaty*, the most ancient on record, 46. the form and solemnity of it, 46, 47.

*Triarii*, who, 192. See *Infantry*.

*Tribe*, the reason of the appellation, 81.

—*Claudian*, 139. See *b. ibid.*

*Tribes*, city and country tribes, 139. *b.* remarks on the Roman tribes, *ibid.* & 310. *b.*

*Tribunes*, of the people, when and upon what occasion created, 167. their power

and office, *ibid. a.* & 168. *b.* their persons sacred, 168, 310. the head of him devoted to Jupiter who did them any injury, 310. raise divisions on account of the agrarian law, which see. assume an authority over the consuls and fathers, 208. chosen in the *comitia* by tribes, 210. and three more added to their number, *ibid.* hotly contend with the senate, 237, 238. and raise commotions in the city, 239, & *seqq.* L. *Quinctius Cincinnatus* his invectives against them, 251. & *seqq.* aim at absolving the people from their oaths, 254. their jurisdiction does not extend above a mile from the city, *ibid.* oppose the levies, *ibid.* & 261. ten created, 268. created by the *Pontifex Maximus* on mount *Aventine*, 308. patricians even of consular dignity chosen tribunes, 325. propose a law empowering the commons to choose consuls either from among themselves, or the patricians, 340. inveigh against the consuls, 344, & *seqq.* carry their motion for creating military tribunes with consular power, 383. — military with consular power created, 353. See *a. ibid.* deposed on an informality in their election, *ibid.* six allowed by the laws, 370. all patricians chosen



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- chosen in the fourth military tribuneship with consular power, 384.
- Tribunes*, of the soldiers, ten created by one army, and ten by another, 303, 304. two of the twenty vested with the supreme authority, *ibid.* their office and election, 374. *a.*
- Tributa Comitia*. See *Comitia*.
- Tribute*, the people freed from it, and why, 128.
- Tricipitinus*. See *Lucretius Tricipit.*
- Trigemina*, a gate of Rome, 369. See *c. ibid.*
- Triumph*, at Rome, 140. decreed by the people without an order of senate, and in opposition to it, 323, 324. the procession and solemnity of a triumph, 266, 267.
- Triumvirs*, created for leading a colony, 362.
- Trojans*, wander in quest of a settlement, 5, 6. entertained by Latinus, 7. unite with the Aborigines, *ibid.*
- Troy*, it's situation, 5. *a.* in what year destroyed, *ibid.*
- Tubero*, Q. an ancient historian, quoted, 381.
- Tubertus*, A. Posthumius. See *A. Posthumius Tubertus*.
- Tullia*, two of that name, daughters to Servius Tullius, 85. both married to Tarquins, *ibid.* the ambitious and wicked temper of the elder Tullia, 85, 86. has secret conferences with her brother-in-law, 86. whom she marries after the death of her own husband and his wife, which happened within a few days of one another, *ibid.* her violent measures, 86, 87. first salutes her husband king, 89. drives her chariot over the dead body of her father in the streets, *ibid.* when she fled out of her palace, the people loaded her with curses and imprecations, 109.
- Tullii*, enrolled among the senators, 358.
- Tullius*, Man. consul, did nothing worthy of record, 144.
- Serv.* See *Servius Tul.*
- Tullus*, Attius, a prince of the Volsci, an inveterate enemy of the Romans, entertains Coriolanus, 173. they contrive a stratagem to excite the Volscians to a war against the Romans, *ibid.* & *seqq.* his speech to the Volsci to inflame them, 176.
- Cl.* a Roman ambassador, put to death by order of Tolumnius, 371.
- Hostilius*, third king of Rome, 42. his warlike genius, *ibid.* makes war on the Albans, 43. accepts of Mettius his proposal for putting an end to their differences, 44. his treaty with the Albans, 46. a merciful interpreter of the law in the case of Horatius, 50. vows twelve Salii to Mars, and temples to fear and paleness, 53. defeats the Fidenates and Veientes, *ibid.* his



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his speech to his army concerning the treachery of Mettius, 55. and to Mettius himself, whom he ordered to be drawn asunder by two chariots drawn by four horses, 56. demolishes Alba and transplants it's inhabitants to Rome, 56, 57. adds mount Cælius to the city, *ibid.* declares war against the Sabines, 58. whom he defeats, 59. becomes superstitious, 60. killed by lightning, 61.

*Turnus*, king of the Rutuli, makes war on Latinus and Æneas, 7. being defeated, applies to Mezentius, *ibid.* both defeated by Æneas, 8, 9.

——— *Herdonius*. See *Herdonius*.

*Tuscan street*, 137. See *b. ibid.*

*Tuscans*. See *Etrurians*.

*Tusculans*, send assistance to Rome, 249. besiege the capitol, possessed by Herdonius, 250. receive the public thanks of the Romans, *ibid.*

*Tusculum*, citadel of, surprized by the Æqui, 257. which the Romans obliged them to abandon, 258.

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**V**alerius, Antias. See *Antias Valer.*

——— L. quæstor, cites Cassius to his trial on account of treason, 182. consul, 184. odious to the people, *ibid.* great commotions at Rome

in his second consulate, about the agrarian law and the trial of Appius Claudius, 213, 214.

——— L. Potitus, swears that he will go out of the senate and raise a sedition among the people, on the decemvirs commanding him silence when he was going to speak on the state of the republic, 286.

——— L. consul, 309. manages the war against the Æqui and Volsci at first by policy, 318. his speech to his army, 319. entirely routs the Æqui and Volsci, 320. a triumph decreed him by the people without an order of senate, 324.

——— M. fecialis, appoints Sp. Fufius pater patratus, 46.

• ——— Man. brother to Poplicola, throws a javelin at young Tarquin, 145. killed, *ibid.*

——— M. augur, dies of the plague, 231.

——— the son of Valerius, quæstor, colleague to T. Quinctius Capitolinus, 260. consul, 268.

——— Man. the son of Volusus, dictator, 162. his edict, *ibid.* routs the Sabines, 163. triumphs, 164. a distinguished place and a curule chair allotted to him and his descendants at the publick games in the circus, *ibid.* proposes a bill for the relief of insolvent debtors, *ibid.* his speech on his



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his motion being rejected, ibid. lays down his office, 165.

——M. consul, defeats the Sabines, 138. triumphs, 139.

——P. Poplicola. See P. Val. *Poplicola*.

——P. Publicola, interrex, 232. his speech to the tribunes, 247. to the people, 250. besieges Herdonius in the capitol, ibid. killed, ibid.

——P. consul, 201. forces the Sabine camp, 202, 203.

——P. the son of Volusus, goes in company with Lucretia's father, to see her after her rape, 106.

*Vestius Messius*. See *Messius*.

*Veientes*, invade the Roman lands, 29. routed by Romulus, 30. sue for peace, ibid. a truce granted them for an hundred years, ibid. join Tarquin the proud, 122. routed, 123. their lands restored them by the interest of Porfena, 134. plunder the Roman lands, and threaten to besiege Rome itself, 185. challenge the Romans to fight them, and insult them in their camp, 188, 189. maintain a long and doubtful battle with the Romans, but in the end are defeated, 190, & seq. defeat the Romans, and ravage their lands, 195. besiege the garison at Cremera, 197.

routed, 198. sue for a peace, which was granted them, ibid. repent on a sudden that they asked it, ibid. receive several defeats from the Fabian family, ibid. which they afterwards cut off to a man by an ambush, 199. storm the Roman camp, but routed with great slaughter, 200. lay waste the Roman frontiers, 340. put to death the Roman ambassadors, 371. defeated and their king killed, 373, & seqq. war declared against them by the votes of all the centuries, 396. force the Romans to fly to their camp, which put Rome in a great consternation, 397, 398.

*Vein*, the city of the Veientes, 30. it's situation, ibid. *a*.

*Velia*, a high place, where Poplicola designed to build, 124. derivation of the word, ibid. *c*.

*Velites*. See *Infantry*.

*Velitræ*, a city of the Volsci, 163. it's modern name, ibid. *a*. a colony sent thither, 164.

*Veneti*, called at first Heneti, 5. their modern name, ibid. *f*.

*Venus*. See *Temple of*.

*Verrugo*, the Æqui and Volsci take exceptions at the fortifications raised there, 340. it's situation, ibid. *a*.

*Vestal virgins*, an order appointed



pointed by Numa Pompilius, 39. their creation, office, and dignity, *ibid. d.* one condemned for incontinence, 184.

*Veturia*, mother of Coriolanus, 179. her speech to her son, *ibid.* which makes him retire from the city, *ibid.*

*Veturius*, C. consul, 268. prosecuted by Allienus, ædile, 269. condemned, *ibid.* augur, 270.

———T. Geminus. See T. *Vetustius* Gem.

*Vetustius*, C. consul, 144.

———Tit. consul, 158. sent against the Æqui, who had invaded the lands of the Latines, 162. takes their camp, 164.

———Tit. Geminus, appointed consul by the interrex, 232. routs the Volsci, *ibid.* an ovation granted him, 236.

*Vibulanus*. See *Fabius* Vibul.

*Victima*. } See *Sacrifice*.

*Victimarii*. }

*Vicus sceleratus*. See *Sce-*  
*ratus*.

*Villa publica*, approved of by the censors for performing the census in it, 380. a description of it and it's uses, *ibid. a.*

*Villius*, P. tribune of the people, 309.

*Viminal hill*, added to the city by Serv. Tullius, 82. derivation of the name, and it's situation, *ibid. c.*

*Vindicus*, a slave, the first who

was made free by the rod vindicta, which see.

*Vindicta*, derivation of the word, 121. slaves made freemen by it, *ibid.* See *d. ib.*

*Vineæ*, 140. *a.*

*Virbian ascent*, 89.

*Virginia*, a plebeian virgin of great beauty and virtue, whom App. Claudius the decemvir attempted to debauch, 293. a most villainous prosecution commenced against her by the decemvir, 294, & seqq. adjudged to be a slave, 298. killed by her father, 299. See App. *Claudius* and L. *Virginus*.

*Virginus*, A. consul, 158. marches against the Volsci, whom he defeats, 162, 163. consul, 200. consul again, marches against the Æqui, and drawn by them into an ambuscade, 216.

———A. appointed triumvir for the partition of lands, 222. tribune of the people, summons Cæso Quinctius before him, to be tried for his life, 240. his speech against him, *ibid.* holds the comitia, 243. made tribune of the people on mount Aventine, 308.

———Lucius, father of Virginia, 293. his contention with App. Claudius about the prosecution of his daughter, and speeches against him, 297, & seqq. kills his daughter, 299. his speech to the soldiers with respect



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- respect to the parricide, 301. persuades the army to create military tribunes, 303. impeaches Appius Claudius, 312. his speech to him, *ibid.* his reply to Appius's speech, 314. implores the people not to listen to the interest that Appius his friends were making for him, 316.
- Virginius*, L. consul, 379. consults the senate in the temple of Romulus, *ibid.* a second time consul, 380.
- *Opiter*, consul, 140. with his colleague takes Pometia by storm, and triumphs, 141. consul again, 204.
- *Proculus*, consul, 181. his contention with his colleague about the agrarian law, 181, 182. his speech, *ibid.*
- *Sp.* consul, 268.
- *T.* consul, 147. consul again, 194. he and his army defeated by the Veientes, 195.
- *T. Coelimon*tanus, consul, 325.
- *T. Rutilus*, augur, dies of the plague, 231.
- Vitellii*. See *Aquilii*.
- Vitellia*, a town taken by Coriolanus, 177.
- Vitta*, what. See *Sacrifice*.
- Ulysses*, Mamilius Tusculanus said to be descended of him and the goddess Circe, 91.
- Volero*, Publilius, appeals to the people, when the consuls ordered him to be beat with rods, 206. repulses the lictor, *ibid.* becomes a favorite of the commons and created tribune, 207. proposes a bill, that the plebeian magistrates should be chosen in the comitia by tribes, *ibid.* a second time tribune, *ibid.* Appius Claudius scoffingly calls the centurions of his army Voleros, 211.
- Volsci*, Tarquin the proud makes war on them, 96. and takes Sueſſa Pometia, *ibid.* give 300 hostages to the Romans, 148. secretly prepare for war, *ibid.* march towards Rome in order to besiege it, 152. attack the Roman camp, 154. routed, *ibid.* wage war, 162. entirely defeated and their camp taken, 163. the lands of Velitræ taken from them, 164. beat again and several of their towns taken, 168, 169. great numbers of them go to see the games at Rome, 175. ordered to leave the city, 176. so spirited up by Attius Tullus, that they engaged their whole nation to revolt, *ibid.* & seq. choose Coriolanus for their general, 177. encamp within five miles of Rome, and pillage the Roman lands, *ibid.* withdraw from thence, *ibid.* have a smart engagement with the *Æqui*, their confederates in the



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the war, *ibid.* renew hostilities, 184. pillage the Latine lands, 203. distressed with all the calamities of war, *ibid.* obtain a truce for the space of 40 years, *ibid.* in conjunction with the Æqui renew the war, 210. beat the Romans, 211, 212. routed, 216, 217. plunder the lands of the Hernici, 229. advance within three miles of Rome, and plunder the country without opposition, 230. the whole nation of the Volsci almost cut off by Q. Fabius, 233. unite with the Æqui and renew the war, 237. the Volscians defeated by Fabius and their camp taken, 257. besiege Ardea, 359. besieged by the Romans, *ibid.* conquered and forced to deliver up their general and pass under the yoke, 360. wage war anew in conjunction with the Æqui, 386. attack the consul's camp, 389. their own camp taken, and great numbers of them sold for slaves, 392.

*Volscius*, M. Fictor. See *Fictor*.

*Voltumna*, temple of, the states of Hetruria assemble there, 381. See *a.* *ibid.*

*Volumnia*, wife of Coriolanus, goes with her two sons and other Roman ladies, to the enemy's camp, 179.

*Volumnius*, P. consul, embas-

sador to the Æqui, insulted by their general, 261.  
*Vote*, the method used by the Romans both in giving and collecting their votes, 277.  
*b.* *circa finem.*

## W.

**W***Ar*, the solemn form of a declaration of war always in use among the Romans, 62, 63.

—— with the Æqui, 162, 185, 257, 261.

—— the Albans, 43, & *seqq.*

—— Antemnates, 22.

—— Aurunci, 140, 155.

—— Cæninenses, 22

—— Fidenates, 28, 52, 371, 379.

—— Hernici, 181.

—— Hetrurians, 188.

—— Porfena, 127, & *seqq.*

—— Rutuli, 104.

—— Sabines, 22, 58, 69, 139, 155, 163, 216, 261, 321.

—— the people of Tarquinii, 122.

—— Veientes, 29, 187, 195, 396.

—— and Sabines, 202.

—— Volsci, 96, 152, & *seqq.* 162, 168, 177, & *seqq.* 184, 203, 210, & *seqq.* 230, 257, 359, 386, & *seqq.*

—— and Æqui, 203, 210, 215, 318, 327, 386.

*Whetstone*, cut by Acc. Navius, which see.

*Wolf*,



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*Wolf*, gives suck to Romulus and Remus, 11.

*Wolves*, seen in the capitol, for which it was purified, 267.

*Women*, save Rome, when the men could not defend it, 179, 180. in memory of which great service a temple was built and consecrated to female fortune, *ibid.*

Y.

**Y***ear*, divided into 12 months, by Numa Pompilius, 37. See *c. d.* *ibid.*

—— consular, 229.*a*:

*Yoke*, the ceremony of passing under it, 51.*c.*

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